

By Mr. VINCENT of Kentucky:

H. R. 5864. A bill to exempt from the wage-and-hour provisions of the Fair Labor Standards Act of 1938 persons employed in tying, drying, stemming, or stripping tobacco; to the Committee on Labor.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States to consider their Senate Resolution No. 7, relative to priority allocation of materials; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. RAMSPECK:

H. R. 5865. A bill for the relief of Builders Specialties Co.; to the Committee on Claims.

H. R. 5866. A bill for the relief of the city of Atlanta, Ga.; to the Committee on Claims.

By Mr. BUCKLEY of New York:

H. R. 5867. A bill for the relief of Silman Realty Corporation; to the Committee on Claims.

By Mr. LELAND M. FORD:

H. R. 5868. A bill granting a pension to Adelaide E. Frieseke; to the Committee on Invalid Pensions.

By Mr. KLEIN:

H. R. 5869. A bill for the relief of Antonino Valenti; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred, as follows:

1912. By Mr. TENEROWICZ: Resolution of the Detroit Municipal Employees Association, Detroit, Mich., recommending a limit of 6 percent to be placed on profits on defense awards; to the Committee on Ways and Means.

1913. By the SPEAKER: Petition of the Southwest District Kiwanis International, Las Cruces, N. Mex., petitioning consideration of their resolution with reference to legislation for the perpetuation of our timber resources; to the Committee on Agriculture.

1914. Also, petition of the Veterans of Belleau Wood, United States Marine Brigade, Inc., New York, N. Y., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1915. Also, petition of the Board of Estimate of the City of New York, petitioning consideration of their resolution with reference to House bill 5269, relative to plans and borings to tunnel between the Boroughs of Richmond and Brooklyn; to the Committee on Rivers and Harbors.

SENATE

MONDAY, OCTOBER 20, 1941

(Legislative day of Thursday, October 16, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O, Truth who art Eternity! And Love who art Truth! And Eternity who art Love! Thou art our God before whom we bend in lowly reverence and in fervent

gratitude. Thou hast brought us to this new day with its revelation of Thy faithfulness, its duties and responsibilities, its unknown joys and sorrows, and we look unto Thee in faith, beseeching Thee to grant us strength to do the thing that is nearest and wisdom to guide us in the doing of it.

In our gladness may we ne'er forget Thee and in times of doubt and difficulty may we feel the guiding hand of the blessed Christ. As the days are swiftly passing may we fill them with pure thoughts, kind words and noble deeds, that when the evening comes we may know that Thou hast made us for Thyself, that there is no rest for us until we find our rest in Thee. In the dear Saviour's name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, October 16, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on October 16, 1941, the President had approved and signed the following acts:

S. 755. An act for the relief of W. W. Carlton;

S. 807. An act for the relief of Eva Mueller;

S. 1052. An act relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims;

S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.;

S. 1579. An act to authorize the President of the United States to requisition property required for the defense of the United States;

S. 1608. An act for the relief of the Neal Storage Co.;

S. 1649. An act to authorize the payment of certain claims of employees of the Bureau of Reclamation arising out of loss of tools destroyed by fire at Parker Dam, Ariz.; and

S. 1813. An act for the relief of Harry F. Baker.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 237) to repeal section 6 of the Neutrality Act of 1939, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 260. An act to permit mining within the Organ Pipe Cactus National Monument in Arizona; and

H. R. 2985. An act to prescribe the time basis for computing pay for overtime work performed by laborers in the Railway Mail Service.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Peace
Aiken	Gillette	Pepper
Andrews	Glass	Radcliffe
Bailey	Green	Rosier
Ball	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bilbo	Herring	Smathers
Brewster	Hill	Spencer
Bridges	Johnson, Calif.	Stewart
Brooks	Kilgore	Taft
Brown	La Follette	Thomas, Idaho
Bunker	Langer	Thomas, Okla.
Burton	Lee	Thomas, Utah
Butler	McFarland	Truman
Capper	McKellar	Tunnell
Caraway	McNary	Vandenberg
Chavez	Maloney	Van Nuys
Clark, Idaho	Mead	Wallgren
Clark, Mo.	Murdock	Walsh
Connally	Murray	Wheeler
Danaher	Norris	White
Davis	Nye	Wiley
Doxey	O'Daniel	
Ellender	O'Mahoney	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from South Dakota [Mr. BULOW], the Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senator from Delaware [Mr. HUGHES], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. McCARRAN], the Senator from Louisiana [Mr. OVERTON], the Senator from North Carolina [Mr. REYNOLDS], the Senator from South Carolina [Mr. SMITH], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

Mr. McNARY. My colleague the junior Senator from Oregon [Mr. HOLMAN] is absent on public business.

The following Senators are necessarily absent:

The Senator from Vermont [Mr. AUSTIN], the Senator from Massachusetts [Mr. LONGE], the Senator from Kansas [Mr. REED], and the Senator from Indiana [Mr. WILLIS].

The VICE PRESIDENT. Seventy-three Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated

FOREIGN WAR RELIEF

A letter from the Secretary of State relative to the proposed appropriation of \$50,000,000 for foreign war relief, fiscal year 1942, to be used in connection with the relief of suffering and distress of the populations of countries affected by the present hostilities; to the Committee on Appropriations.

AWARDS OF CONTRACTS FOR THE ARMY

Two letters from the Secretary of War, reporting, pursuant to law, relative to divisions of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder

under authority of law; to the Committee on Military Affairs.

ROBERT FECHNER MEMORIAL FUND

A letter from the Administrator of the Federal Security Agency, transmitting a draft of proposed legislation establishing the Robert Fechner Memorial Fund (with an accompanying paper); to the Committee on the Library.

PETITIONS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Oklahoma; to the Committee on Military Affairs:

Enrolled Senate Resolution 7

Resolution with reference to the Federal system of priority allocation of material and the effect upon Oklahoma industries; memorializing Congress to take action to protect such industries; requesting the Governor and the State defense committee to take certain action; stating that it is the sense of the senate that Congress provide protection for those industries forced to curtail or cease production because of being unable to secure materials or defense contracts; providing for the spreading of this resolution on the journal and the mailing of copies to certain Federal and State officials

Whereas the United States Government is now engaged in a great national-defense program for the purpose of preserving this Nation, its form of government, the lives and liberties of its people, and our democratic institutions; and

Whereas a large part of that program is based on "preparedness through production," involving directly the industries of our Nation and the labor and materials necessary for said industries; and

Whereas if the national-defense program is to be administered effectively and our democratic system preserved, it is necessary that all of our industries, both large and small, qualified to participate, be used in that program, and that those industries which cannot be used should not be required to go out of business; and

Whereas there are approximately 100 industries of Oklahoma of various types manned and equipped to participate in the national-defense program, either as primary contractors or subcontractors, and to date only a very limited number of them have been used by the Federal Government in national-defense production; and

Whereas there are approximately 1,600 manufacturers and thousands of jobbers, wholesalers and retailers, and their employees in this State whose continuous operation and employment are indispensable to the economic welfare of the State of Oklahoma whose present and future operations are being injuriously affected by virtue of materials being denied them by the Federal Government under its system of priority allocations of materials; and

Whereas under a recent test survey made by the Oklahoma Employment Security Commission of 50 representative manufacturing plants in 15 different localities in Oklahoma, it was found that the number of employees of said plants was originally 3,335; that due to a shortage of materials said concerns, as of October 1, 1941, discharged 257 of their employees, and unless said plants are able to obtain materials 943 additional employees will be released between October 1, 1941, and January 1, 1942, making a total of 1,200 unemployed citizens of this State, representing approximately 36 percent of the manpower of said industries; and

Whereas if these manufacturing plants in the State of Oklahoma are required to curtail or cease their production, and are not given defense work or contracts to take the place of such loss of business, many of our citizens will be unemployed, industries will be lost to this State, and the economic welfare of the State of Oklahoma and its citizens will be seriously injured and affected; and

Whereas it appears that the situation confronting the industries of this State and their employees, injuriously affecting the economic welfare of the State as a whole, is due to the stringency of material control as administered by the Federal Government under its system of priority allocation of materials, it being believed that materials in excess of defense needs are being unnecessarily withheld from nondefense industries; and

Whereas it should be borne in mind that the contribution which our Government makes in the cause of democracy will prove to be of doubtful value if by a too drastic and stringent Federal control of materials we cripple and ruin our industries and paralyze our American system of private enterprise, which is the basis of our democratic way of life; and

Whereas a similar situation to that confronting Oklahoma and its industries is confronting most of the other States of the Union and their industries, especially those in the Midwest—that is, Kansas, Missouri, Nebraska, Iowa, Illinois, Michigan, Ohio, Indiana, Wisconsin, and Minnesota: Now, therefore, be it

Resolved by the State Senate of the Eighteenth Legislature of the State of Oklahoma, in extraordinary session assembled:

1. That the Congress of the United States be, and it is hereby, memorialized to take such action as will relieve the industries of Oklahoma from the effects of the present Federal priority system of allocating materials so that such industries will not be forced to go out of business or to curtail their production, and that materials necessary for rural electrification and that the rural areas receive equal consideration with the cities and towns of the State of Oklahoma in receiving materials for the completion of any and all R. E. A. projects pending or hereafter submitted by any now existing or hereafter created.

2. That the Governor of this State be, and he is hereby, requested to cause to be presented to Congress and to high defense officials in Washington the plight of our Oklahoma industries and the inequities of the present Federal priority system of rationing materials, to the end that the system will be changed so that materials in excess of defense needs will not be arbitrarily or unnecessarily withheld from nondefense industries, but will be released and made available to such industries before they are forced to go out of business or curtail their production.

3. Realizing the deep concern felt by many Oklahoma businessmen and their employees as to their future under the priorities program, the Governor of this State and the State defense committee be, and they are hereby, requested to devise ways of securing the cooperation of other Midwestern States to loosen priority allocations so continued operation of servicing plants for this State's two major industries—oil and agriculture—can be assured.

4. That it is the sense of this body that Congress should provide by proper legislation for the protection of those industries which may be forced under any priority system of rationing materials to go out of business or curtail their production because of being unable to secure materials or defense contracts; be it further

Resolved, That a copy of this resolution be spread at length in the journal and that the secretary of the Oklahoma State Senate forward copies of this resolution to the President of the United States of America; the

President of the United States Senate; the Speaker of the United States House of Representatives; each member of the Oklahoma delegation in Congress; Hon. HENRY A. WALLACE, Vice President of the United States and Chairman of the S. P. A. B.; the Governor of each State; and the chairman of the defense council of each State.

Adopted by the senate the 6th day of October 1941.

JAMES E. BERRY,
President of the Senate.

By Mr. TYDINGS:

A resolution of the Washington County (Md.) Pomona Grange, favoring the establishment of better recreational facilities for soldiers in cantonments and training camps; to the Committee on Military Affairs.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Clay County, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTION OF NORTH DAKOTA FARMERS' UNION

Mr. CAPPER. Mr. President, I present and ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by the North Dakota Farmers' Union at their annual convention at Jamestown, N. Dak., on October 11, asking Congress to take early and favorable action on a bill introduced by me, Senate bill 650, creating a Division of Cooperatives in the Department of Agriculture.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolution to establish a Division of Cooperatives in the Department of Agriculture

Whereas cooperatives through a century of successful operation have been of great benefit to both producer and consumer, and the cooperative system is definitely established as a strong, useful, and indispensable unit of well-ordered society; and

Whereas Senator ARTHUR CAPPER, of Kansas, has introduced a bill (S. 650) to establish a Division of Cooperatives in the United States Department of Agriculture, the purposes of which are: To serve as a source of information and cooperation to producers and consumers in cooperative buying and selling; to conduct research and assemble statistical data on cooperation; to prepare publications on cooperative subjects, which will be placed on the distribution lists of Members of Congress; and authorizing the Secretary of Agriculture to establish cooperative relationships between this Division and the other branches of the Department that carry on services in the cooperative field; and

Whereas Senator ELLISON D. SMITH, of South Carolina, chairman of the Senate Committee on Agriculture and Forestry, during the third session of the Seventy-sixth Congress appointed a subcommittee to hold hearings on the proposed measure, and thereafter National and State cooperative and farm leaders appeared at the hearings and presented testimony in support of the provisions of the bill; and

Whereas Hon. HENRY A. WALLACE, as Secretary of Agriculture, on April 24, 1940, appeared before the Schwellenbach subcommittee, commended the purposes of the Capper bill, and endorsed the plan for the establishment of a Cooperative Division in his Department, offering valued suggestions

and amendments, all of which have been incorporated in S. 650, and this bill now having a favorable official report from the Department of Agriculture; and

Whereas the North Dakota Legislative Assembly, on February 26, 1941, memorialized Congress to take early and favorable action on the Capper bill: Now, therefore, be it

Resolved by the North Dakota Farmers' Union, in convention assembled October 8-11, 1941, at Jamestown, N. Dak., That we hereby petition and urge Congress to take early and favorable action on the Capper bill (S. 650) to create a Division of Cooperatives in the Department of Agriculture; and be it further

Resolved, That copies of this resolution be sent to the chairman of the Senate Committee on Agriculture and Forestry, the chairman of the House Committee on Agriculture, to Senator ARTHUR CAPPER, and to the press of the State and Nation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

H. R. 5783. A bill to authorize the construction or acquisition of certain naval local defense vessels, and for other purposes; without amendment (Rept. No. 715).

By Mr. GURNEY, from the Committee on Military Affairs:

S. 1372. A bill to amend article IV of the Soldiers' and Sailors' Civil Relief Act of 1940; with an amendment (Rept. No. 716).

By Mr. SCHWARTZ, from the Committee on Mines and Mining:

H. R. 3019. A bill to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives; providing regulations for the safe manufacture, distribution, storage, use, and possession of the same; and for other purposes," approved October 6, 1917 (40 Stat. 385) (this bill had been recommended); with amendments (Rept. No. 717).

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on October 16, 1941, that committee presented to the President of the United States the following enrolled bills:

S. 377. An act to repeal sections 512, 513, 514, 515, as amended, of the Revised Statutes; sections 1 and 3 of the Act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes;

S. 1426. An act for the relief of Otis Thompson; and

S. 1695. An act for the relief of Reginald H. Carter, Jr.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1985. A bill relating to the administrative jurisdiction of certain public lands in the State of Oregon; to the Committee on Public Lands and Surveys.

By Mr. CLARK of Missouri:

S. 1986. A bill to amend the Canal Zone Code so as to provide for control of photographing, possession of cameras, etc., in areas of the Canal Zone; to the Committee on Inter-oceanic Canals.

By Mr. HATCH:

S. 1987. A bill to amend section 190 of the Revised Statutes so as to further restrict officers and employees of the United States heretofore or hereafter separated from the

service from acting as counsel or agents in matters affecting the United States; to the Committee on the Judiciary.

S. 1988. A bill to amend the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended, with respect to its application to officers and employees of the Federal Government and of State and local agencies; to the Committee on Privileges and Elections.

By Mr. McKELLAR:

S. 1989. A bill to provide that no person shall be barred from serving in the military or naval forces of the United States because of conviction of a felony for which he has been pardoned; to the Committee on the Judiciary.

By Mr. BAILEY:

S. 1990. A bill to regulate the distribution and promotion of commissioned officers of the Coast and Geodetic Survey, and for other purposes; to the Committee on Commerce.

By Mr. TRUMAN:

S. 1991. A bill for the relief of Mrs. William Meister; and

S. 1992. A bill for the relief of the Rock Hill Stone & Gravel Co., of St. Louis, Mo.; to the Committee on Claims.

By Mr. WALSH:

S. 1993. A bill for the relief of Pasqualina Lazzaro; to the Committee on Claims.

S. 1994. A bill to provide for the prompt settlement of claims for damages occasioned by naval forces in foreign countries; and

S. 1995. A bill to amend the act approved June 23, 1938, entitled "An act to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes"; to the Committee on Naval Affairs.

By Mr. MEAD:

S. 1996. A bill for the relief of the estate of Elwood Grissinger; to the Committee on Claims.

By Mr. KILGORE:

S. 1997. A bill granting a pension to Ora Frances Watts; to the Committee on Finance.

By Mr. ELLENDER:

S. 1998. A bill to amend the act of September 1, 1937, as amended; to the Committee on Education and Labor.

By Mr. MURRAY:

S. 1999. A bill to make emergency relief funds available for the construction of buildings for the use of Reserve Officers' Training Corps units at privately controlled schools, colleges, and universities; to the Committee on Appropriations.

By Mr. ELLENDER:

S. J. Res. 110. Joint resolution consenting that certain States may sue the United States, and providing for trial on the merits of any suit brought hereunder by a State to recover direct taxes alleged to have been illegally collected by the United States during the fiscal years ending June 30, 1866, 1867, and 1868, and vesting the right in each State to sue in its own name; to the Committee on Claims.

By Mr. LEE (for himself, Mr. PEPPER, and Mr. GREEN):

S. J. Res. 111. Joint resolution to remove certain restrictions voluntarily imposed by the United States upon its nationals by the Neutrality Act of 1939, and for other purposes; to the Committee on Foreign Relations.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 237) to repeal section 6 of the Neutrality Act of 1939, and for other purposes, was read twice by its title and referred to the Committee on Foreign Relations.

JAMES D. REILLY

Mr. MEAD submitted the following resolution (S. Res. 182), which was referred to the Committee to Audit and

Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant at Arms of the Senate be, and he is hereby, authorized and directed to appoint James D. Reilly a messenger (acting as an additional assistant doorkeeper), who shall be paid at the rate of \$2,400 per annum from the contingent fund of the Senate until otherwise provided by law.

GOVERNMENT POLICY ON BUILDING CONSTRUCTION

Mr. WILEY. Mr. President, some days ago I had the pleasure of talking to Donald M. Nelson, Executive Director of the Supply Priorities and Allocations Board. The purpose of my visit to him was confirmed by a letter I wrote to him in which I asked for certain information relative to the rights of small builders and contractors. Today I received a letter from him, and I ask that it be printed in the RECORD, because it contains information of particular interest to thousands of small builders throughout the Nation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SUPPLY PRIORITIES AND ALLOCATIONS BOARD,

Washington, D. C., October 18, 1941.
Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILEY: This letter is in response to your telephone request for further information about the policy on building construction laid down last week by the Supply Priorities and Allocations Board.

I believe the nature of this policy has been somewhat misunderstood. In substance, it is a policy for the O. P. M. Division of Priorities to follow hereafter in granting priorities assistance on construction projects. As existing shortages in the critical metals become more and more acute, it becomes more and more difficult for a builder to obtain structural steel, plumbing and heating equipment, electric wiring and equipment, and so on, without a priority rating. Within a few months it may be practically impossible for the builder to get such items without priority assistance. Consequently the policy means that henceforward, if a builder is unable to get these metal items without a priority rating, he will not be able to get them at all unless he can satisfy the Division of Priorities that the job he is working on is essential to the Nation, either directly for national defense or indirectly as a safeguard to civilian health and safety.

Thus, while the policy will put sharp limits on new construction which may hereafter be initiated, it is far from being a blanket stop-building order. Such basic building materials as lumber, brick, stone, mortar, concrete, and the various clay products are not particularly scarce, are not under priority control, and hence may be obtained freely for any building job whatever. The man who plans a construction job which uses only those materials and does not involve the use of steel, copper, and brass components is as free to go ahead now as he was a year ago.

As time passes, of course, the increasing scarcity of copper and steel will almost certainly make it impossible to get them without a priority rating. It is that scarcity which has made this policy unavoidable. Currently, the purely military demand for copper in this month of October actually exceeds the total month's production of copper in the United States plus the total quantity of copper which the Nation will be able to import during the month. The situation in regard to steel is somewhat less acute, although a

sizable shortage appears to be in prospect for 1942. It seems to be obvious that under such circumstances the country can do no less than make it a policy to use none of these materials on any job which can be postponed until the end of the emergency.

I think it is important for everyone to understand the following point as well: That although we have undertaken to grant help where possible, in order that needed buildings now under construction and substantially along the road to completion may be finished, that policy will not apply to buildings begun hereafter. Certainly, if a builder undertakes now to start a new building without priority assistance and finds when it is half finished that he cannot complete it without getting a priority rating, he will not be able to get that rating merely on the plea that he must have help to wind up his job.

Materials will continue to be made available for defense housing, for all defense industrial construction, and for other jobs which are vitally necessary to the country's civilian health and safety. We cannot do less than that; I believe you will agree that, considering the urgency of the situation today, we cannot well do more.

Sincerely yours,

DONALD M. NELSON.

ADDRESS BY HERBERT HOOVER ON FEEDING PEOPLE OF SMALL INVADDED DEMOCRACIES OF EUROPE

Mr. BUTLER. Mr. President, last night, Sunday, October 19, the foremost private citizen of the United States, former President Herbert Hoover, addressed the Nation over a national radio hook-up on behalf of 40,000,000 helpless and starving women and children in the small invaded democracies of Europe. Millions of our fellow Americans listened in on the broadcast, which was carried over 125 stations.

Mr. Hoover's moving and compassionate speech covered every point regarding the tragic problem affecting the unarmed and helpless women and children in the invaded countries. Fairly and squarely he met every objection that has been raised to the feeding proposals, on which he and thousands of other highly respected American citizens have worked unremittingly, despite discouragement and rebuffs, for the past year. In my opinion, the address delivered by Mr. Hoover is one of the greatest made to the American people in our day.

I am one of the 37 Members of this body who are sponsoring a resolution, known as Senate Resolution 124, which calls for an experimental feeding of 2,000,000 children and 1,000,000 destitute adults in brave little Belgium, a nation with whom we have always had ties of friendship. I am glad to be one of the sponsors of the resolution because it provides a program of lifesaving rather than life destruction. In having Mr. Hoover as its sponsor the program has the backing of one who has had more experience than any other man in the history of the world in mass relief administration.

I wish to remind the Members of this body, regardless of their political affiliation, that the Belgium relief operation in the last great war, through which the lives of 10,000,000 humans in Belgium and northern France were saved from starvation, was instituted during the Democratic regime of the late President Woodrow Wilson and for 4 long years had his unswerving backing and support. The

then Allies, Great Britain and France, approved this humanitarian endeavor. They supported it. They helped finance it to the extent of many million dollars.

Senate Resolution 124, which calls for the finding of a feeding formula by our Government, in company with Great Britain and other interested powers, and outlines in detail the experimental soup-kitchen feeding proposed for Belgium, has been in the hands—one could almost say "custody" in the sense that term is ordinarily used—of the Senate Foreign Relations Committee for more than 4 months. I am one of those who would like to see the committee take action on the resolution. I am reliably informed that a majority of the Members of this body favor its adoption.

At this time I ask permission to insert in the CONGRESSIONAL RECORD as a part of these remarks the address delivered by Herbert Hoover, to which I have referred. I hope it will be given a thorough, thoughtful reading by every Member of this distinguished body.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CAN EUROPE'S CHILDREN BE SAVED?

PART I

Just a year ago I and a large committee of American religious and public leaders proposed a plan to prevent wholesale starvation in the German-invaded democracies. They were being ground between the millstones of German requisitions and the British blockade. I appealed for international cooperation to prevent a holocaust of death and stunted bodies and minds in their millions of children.

Since we presented this terrible problem a year ago Serbia, Greece, Lithuania, Latvia, and Estonia have been conquered. Today there are somewhere near 40,000,000 of children in German-invaded democracies. Millions of them are in jeopardy. And these are peoples who fought for their freedom, who were overpowered, who have been subjected to terrible oppressions. Their pleas ascend hourly to the free democracies of the west for food.

According to the press dispatches His Holiness the Pope has raised his powerful voice for cooperation in the future interest of humanity.

PART II

The starvation we forecast a year ago and which we hoped to prevent has swept over many of these innocent people during the last winter and spring. I have no wish to recite the heart-breaking reports which come to us daily. I will mention but two of them.

A survey of Belgium 3 months ago by the leading physicians and health authorities showed the march of the tragedy we had tried to prevent. The report reaffirms that strong adults can survive for a while on a meager ration of bread and potatoes, of late mostly furnished by the Germans. The shortage in meats, fats, and milk is crucifying the children. This report showed that the people are devoting practically all their meager fats and milk to the children under 3 years of age. Yet with all this sacrifice there is a deficiency in food for even the little ones. The report continues that the worst effects of starvation show among the children from 3 years upward. They say that 47 percent of the children in the kindergartens, 63 percent in primary schools, and 42 percent in the higher schools were in a definitely weak condition. They inform us that many children were unable to come to school at all. There has been appalling stop in growth, rise in disease, and mortality among them. The report ends with

the statement: "The health of several generations will be irretrievably impaired if nothing is done to relieve the present situation."

Then there is a report from Poland. This report concerns the Jews in the city of Warsaw. It shows that in July deaths had increased to 15 times the normal rate. The municipal newspaper was appealing to the people not to throw the corpses in the streets. Normally the birth rate there exceeds the death rate, yet the death rate among children was 10 times the birth rate. The report closes: "If any substantial part of Polish Jewry is to survive the horrors of next winter, it can be done only under such a plan as Mr. Hoover has proposed." Does anyone doubt that Greek children are starving in thousands?

I have no desire to repeat horrors beyond indicating the situation.

The situation during the forthcoming winter over Europe will be far worse even than last winter and spring. Except in Germany, the harvests have been less than they were even a year ago. The blockade has somewhat reduced the meats and fats in Germany. But its effect upon meat, fat, and food for children is far greater in the occupied democracies. They bear the full impact.

There are other tragedies of this war. I am not blind to the thousands of women and children killed from the sky. I am not blind to the horrors of sinking ships at sea. I am not blind to the execution of hostages. And I am not blind to the millions of men dying and wounded upon the battlefields. I am not blind to the oppression of occupying armies. I pray all these things may be stopped. But I know they will not be stopped now. There is, however, the possibility that this one horror of the sacrifice of children could be stopped.

PART III

I raised the question a year ago in response to an appeal to me from the peoples inside those countries and officials of their exiled governments. That appeal was directed to me and my colleagues because we, with the backing of American Government, had in 1914 found the method and brought about the cooperation for this purpose of the warring nations. And by that cooperation 10,000,000 people in Belgium and northern France were saved under precisely the same tragic circumstances of German invasion and British blockade that exist today.

Based on that experience, we have made various proposals in an effort to find a solution. We proposed such methods and safeguards that there could be no military advantage to either side. We originally proposed that the same broad measures which were used in the last war should be adopted. It was to be administered by some non-official body. As this was refused we then proposed that we try a small experiment in Belgium to feed 2,000,000 children and 1,000,000 destitute adults. I clearly labeled it an experiment to determine what could be done. The Germans went a long way toward that agreement. The British decided against it, although it was to be safeguarded to meet their every military objection.

After that time American relations to the war so shifted that it was no longer possible for an American individual or any nonofficial body to conduct such negotiation or operations. To meet these changed conditions I therefore proposed last April to our State Department that our Government should enlist the services of some of the remaining neutral governments, such as Switzerland, Sweden, Argentina, or Ireland, to act as the trustee for these helpless people. I suggested that such a neutral government should, with American encouragement, negotiate with both of the belligerents such safeguards that would give no military advantage to either side. As a basis of such negotiation I proposed that the Germans, having a surplus of

breadstuffs, should supply from their own stocks what breadstuffs were needed to save these children. I suggested that only the fats and special food for children which, due to the blockade are deficient all over Europe, should be imported overseas. I proposed that the Germans should cease to take any of the native food products of these countries. I proposed that the trustee government should undertake to administer and safeguard the relief by its own agents. I proposed that the administration take over the whole question. So far as I have been able to learn, our Government took no steps in that direction.

PART IV

During all these discussions many objections have been raised. It is desirable that I deal with these arguments again.

The natural fear of many people is that this food would benefit Hitler. The whole basis of our proposals is that the Germans cease to take food from the countries put under relief. And, moreover, that they themselves furnish the breadstuffs needed from their own stocks. Their cooperation thus takes food from them, not to them.

There are others who do not see how this process can be controlled, even if agreed to. I and 300 living Americans know this can be done, for we did it 20 years ago. I will explain again, and use our recent proposal for an experiment in Belgium as an example. The food from overseas is to be paid for by the Belgians, and the funds are available. It is to be brought in ships not otherwise available to supply Britain. It would be shipped over the frontier to central warehouses. These warehouses are to be under neutral control. The warehouse is notified of every shipment. From the warehouses smaller shipments are made directly to soup kitchens. They are notified of every shipment. These kitchens are operated by Belgian women. Every child or its mother who receives food must come to the soup kitchen and eat it on the spot. Those who get it must produce tickets issued by other committees of Belgian women based upon need. None but Belgians are given tickets. The supreme anxiety of every Belgian woman is that no food should escape from the children of their race.

If there is any failure of food to arrive anywhere, it is instantly reported to the neutral supervisors.

Part of this plan is that the German Army should take no food from Belgium, either native or imported. It is only Belgian farmers who grow food. If it is taken by a German, it is taken from a Belgian, and the Belgians know it. They report it at once to the neutral commission. Also, under this proposal the Germans must provide the breadstuffs from their own stocks. Obviously the Belgians know if they don't get it they don't eat. Thus the neutral commission knows it. If the food stream fails anywhere, it is traced, and if infractions of the guaranties are involved, they must be made good. If they are not made good, the whole effort fails. Further shipments are stopped.

PART V

But entirely apart from these natural fears, a vast organized propaganda of misrepresentation was spread over the United States and Britain. I have always refused to answer lies and smearing. I could speak with great bitterness. But I shall say only this: The national committee, of which I am a member, embraces 1,000 leaders of every religious faith. It embraces interventionists and noninterventionists, Democrats and Republicans. There is no politics in this appeal for the lives of children. If, by the grace of God, governments could be moved to act, relief would be administered by the agents of neutral government, and not by our organization.

And there are other fantastic statements spread across the country by foreign propaganda. It is said the Germans would seize breadstuffs and make alcohol from them and use the alcohol to propel their airplanes. And yet we have never proposed that a pound of breadstuffs should be imported. But, on the contrary, we proposed the Germans should contribute these breadstuffs. The statement has been spread that the Germans could seize the imported fats and transform them into glycerine and thus into explosives. Yet any munitions manufacturer will say that modern explosives are not made from glycerine or fats.

There are lies spread that the Germans took the food from the Belgian Relief Commission in the last war. There were occasional infractions of these agreements. But these infractions were all remedied. And the officials of the British and French Governments, who contributed hundreds of millions of dollars to it, who had everything at stake, are on the public record time and time again expressing their satisfaction. And they based that satisfaction on the reports of their own agents.

There are those who say that decision having been taken against these proposals by the British Government, we should no longer agitate it. When has free speech departed? The British people do not hesitate to differ on the policies of their Government. But, more important, this is not solely a British question. It concerns a dozen democracies, including ourselves. In any event, has the time come when we in America cannot discuss the issues of human life and civilization?

These misrepresentations are important only in that they contribute to the death of millions of children.

And I would like to ask those who have opposed these proposals: Is the Allied cause any further advanced today as a consequence of this starvation of children? Are Hitler's armies any less victorious than if these children had been saved? Are Britain's children better fed today, because these millions of former Allied children have been hungry or died? Can you point to one benefit that has been gained from this holocaust? Isn't it time that we realize these attitudes cannot be continued if our own spiritual life is not to be soiled?

PART VI

There are important events that have happened since I first proposed this action that seem to me to warrant renewed hope that cooperation could be brought about between nations.

America is today furnishing food to the British women and children. We do it gladly, but have not the other women and children of democracies the right to life also?

The British have themselves relaxed the blockade in important ways. For instance, Britain is furnishing food to some 40,000 British prisoners of war in Germany. Thus our British friends themselves open their own blockade to their countrymen. Moreover, the British Government trusts the German Government to distribute this British food. And the British officials state it is distributed with fidelity. These prisoners already have the ration of a German soldier, and indeed they merit every comfort. If it is practical to feed captive British soldiers, is it not practical to feed captive women and children who do not have the ration of the German soldier?

Also the blockade has been relaxed for Sweden. The Swedes occupy a position where all governments are solicitous for their political attitudes. They are today allowed to pass needed supplies from American ports through the blockade. But by what logic or humanity can neutrals be given supplies and peoples who have fought and died in the Allied cause be discriminated against?

And the blockade has been relaxed for Greece. Within the last month the Turkish Government, with no great reserves of food, has agreed to large shipments to save the Greeks. They have secured cooperation from both Britain and Germany. It will be partly paid for by Americans. That food is permitted to pass the British blockade. The Turks are Mohammedans, they are not Christians. I wish that Belgium, Poland, Norway, and the others had a friend as compassionate as Turkey.

I may add to this that my colleagues and I have from the beginning of this war until 3 months ago carried a small stream of relief to some 50,000 children in Poland. Initially we were permitted to take food through the British blockade. When that became impossible we purchased food in the Baltic and Balkan countries which did not pass through the blockade. When that became impossible, through their being involved in war, we then appealed directly to Russia. The Russians, because these same associates of mine had fed millions of Russian children in the famine of 1922, allowed us to buy food in their country and ship it to these children in Warsaw.

Indeed, it was a small trickle, because our resources were small. That is today ended unless supplies can come from overseas. But this relief functioned over 18 months without interference from the Germans. That experience gives further confidence that international cooperation can still be established to save these millions.

PART VII

The dead children of last winter and spring are gone. Whatever our bitterness may be for their useless sacrifice, they are past help. Our problem now is to look to saving the millions of others. That can be done if the American, the British, the German, and the neutral governments of Europe will cooperate.

To the German people I can say that I know that the great mass of Germans do not wish for this suffering of women and children. To the German Government I can say that they may perhaps remember that I led the fight for the removal of the food blockade from the day of the armistice in the last World War, that I fed millions of German children after that war.

To the British Government I can say that in the last World War it was largely their generosity, their compassion, that saved 10,000,000 of Belgians and French during that dreadful time. And I can say more—that I have at this moment advices from many responsible English men and women that they hope I will not stop my appeals and their belief that their Government should act favorably upon this question.

And I would like to say something to the exiled governments of some of the small democracies. A year ago officials of each of them appealed to me to lead this cause for their people. I am well aware that they have ceased in these appeals. Some of them inform me they must obey the policies of the western democracies. But the appeals from their people in their countries have not ceased. They come daily to me in heart-breaking missives. And some day the political leaders of these small democracies will need to face their own people at home.

I can say to the neutral government, whether it might be Switzerland or Ireland or Sweden or the Argentine, or all of them, that might be entrusted with the trusteeship of these millions of human beings, that no greater glory could ever come to them than to be entrusted with such a mission.

To the American Government I have the right as a citizen to speak even more freely. I can say that the initiative in the last war which saved millions of lives came from the American State Department. The President of that time, Woodrow Wilson, was the constant guardian of that relief during all those

4 years. And I can say to the American Government: You are now in such relationship to this war that you have a right to a voice. What is more, you are contributing to the blockade of these small democracies. And deny it if you will, there is some moral responsibility attached to America now. It is not enough to plead international law. I agree Germany has the moral responsibility to feed them. There is a vague legal responsibility. But the overpowering fact is Germany does not, as the result of the blockade, have the kind of food needed for these women and children. They will not feed them. That stark fact faces the world. And these helpless people cannot eat morals and international law. Those Americans who deny moral responsibility cannot deny the obligations of compassion and the self-interest in the future of civilization.

I have recently read many statements by American and Allied leaders that large stocks of food will be accumulated with which to relieve these people after they are free from German domination. When that day may come no man can tell. But these promises sound hollow in my ears. Food for dead people has little consequence. I am in favor of providing food with which to fight the inevitable famine which will follow this war. I trust it is not being offered these people as a substitute for action now. It is not necessary to give such promises to people who are suffering and dying. That does not offer hope to them. It adds bitterness to their fate.

I can say further to our own Government that last spring a number of the Members of our Senate and House of Representatives became interested in this question. Jointly Democrats and Republicans introduced a resolution into both Houses making a simple request of our Government that it should initiate negotiations for international action on this question. The resolution in the Senate was signed by 37 of its Members, and I understand a majority of the whole Senate favors it. It was endorsed by a majority of Members of the House. This resolution was endorsed by some 6,000 public bodies, church organizations, committees, and other responsible groups throughout our country. Those resolutions alone represent the voice of at least 20,000,000 people. Surely such an expression of American compassion deserves more adequate attention from our Government than to be dismissed by a curt letter from our State Department.

We have been engaged in much discussion over the freedom of religion in foreign countries. I learned at my mother's knee that compassion and responsibility for my neighbors were a part of our American faith.

Has hate so entered our souls that we are indifferent to innocent suffering? Have we lost our way entirely? I do not believe it.

We talk much of our responsibility to the future of civilization. Is not the preservation of these children also a part of this responsibility? Hitler cannot be defeated with armies of starving children.

PART VIII

In conclusion I do not believe it would make the slightest difference in the military outcome of this war if we assured food to the needy among the whole 40,000,000 democratic children in Europe. The Germans will not lose this war from a shortage of food. And eminent soldiers agree with me.

To those who say it is impossible to secure cooperation among nations for this purpose I wish again to repeat two reasons that make it worth trying:

First. It was done for 4 long years during the last war, and it was done to the satisfaction, publicly expressed, of all the governments concerned.

Second. Last February the German Government negotiated favorably upon such action in respect to Belgium. And, furthermore,

there are breaks in the British blockade by the relaxations that I have mentioned.

To doubting Americans let me say this: Suppose the western democracies should place this problem in the hands of some one of the neutral governments of Europe for solution. Suppose that neutral government was not able to make a satisfactory agreement with the German Government. Then an effort would have been made which at least demonstrated the compassion and solicitude of the western world. There would then be no hate stored against America for failure.

Suppose the Germans did make such an agreement and should subsequently violate it, then at once the effort would be stopped. If they seized all the stocks of imported food, they would not have secured a day's ration for Germany. And again the western democracies would have demonstrated their ideals to the world.

Our Government should make an effort with every influence in its power. If its effort should fail, its duty is to develop publicly who is responsible for failure. The administration of Woodrow Wilson did find the solution. It can be done again if there is the will to do it. Our Government has a grave responsibility today.

My countrymen, unless this effort is made our failure to act will some day come back to fill this Nation with grief and remorse.

UNITE BEHIND OUR FOREIGN POLICY—ADDRESS BY SENATOR LEE

[Mr. LEE asked and obtained leave to have printed in the RECORD a radio address entitled "Unite Behind Our Foreign Policy," delivered by him on October 9, which appears in the Appendix.]

COLUMBUS DAY ADDRESS BY SENATOR MALONEY

[Mr. MALONEY asked and obtained leave to have printed in the RECORD a Columbus Day address delivered by him at New Britain, Conn., on October 12, 1941, which appears in the Appendix.]

BOTTLENECKS—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him before the Metal Treating Institute, Inc., at Philadelphia, Pa., October 19, 1941, which appears in the Appendix.]

DEFENSE AND THE NEUTRALITY ACT—INTERVIEW WITH SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD a radio interview with him on the subject Defense and the Neutrality Act, which appears in the Appendix.]

CONTRIBUTION OF REPUBLICAN PARTY TO NATIONAL DEFENSE—ADDRESS BY ALF M. LANDON

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Alf M. Landon on October 17, 1941, at Kansas City, Kans., on the subject The Contribution of the Republican Party to National Defense, which appears in the Appendix.]

ANSWER TO SENATOR NYE BY GEORGE N. SHUSTER

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by George N. Shuster, president of Hunter College, entitled "Answer to Senator Nye," published in The Commonwealth, of October 17, 1941, which appears in the Appendix.]

ARGENTINE TRADE PACT—EDITORIAL FROM WASHINGTON EVENING STAR

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial published in the Washington Evening Star

of October 15, 1941, on the occasion of the signing of the reciprocal trade agreement between the United States and Argentina, which appears in the Appendix.]

ADDRESS BY FRED S. WALLACE BEFORE REGIONAL R. E. A. CONFERENCE AT GRAND ISLAND, NEBR.

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an address on the subject The Prairie Farmer Lines up for Defense, delivered by Fred S. Wallace before the regional R. E. A. conference held at Grand Island, Nebr., on August 14, 15, and 16, 1941, which appears in the Appendix.]

ADDRESS BY RAY W. GILL ON WOOL PRODUCTS LABELING ACT

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD a radio address on the subject Wool Products Labeling Act Offers Great Advantages, delivered by Ray W. Gill, of Portland, Oreg., master of the Oregon State Grange, on September 20, 1941, which appears in the Appendix.]

SOCIAL INSECURITY—ARTICLE BY RAYMOND MOLEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article by Raymond Moley entitled "Social Insecurity," published in Newsweek of October 20, 1941, which appears in the Appendix.]

FREEDOM OF THE PRESS

[Mr. MEAD asked and obtained leave to have printed in the RECORD an editorial from the Long Beach Life, of Long Beach, N. Y., entitled "The Newspaper Lights the Way to Freedom," which appears in the Appendix.]

THE SUGAR RESTRICTION—EDITORIAL FROM THE LABOR RECORD

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an editorial entitled "Lift the Sugar Restriction," published in The Labor Record of New Orleans issue of August 1941, which appears in the Appendix.]

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 2665) to provide for apportioning Representatives in Congress among the several States by the equal-proportions method, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That section 22 of the act entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929, as amended, is amended to read as follows:

"Sec. 22. (a) On the first day, or within 1 week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each State, excluding Indians not taxed, as ascertained under the seventeenth and each subsequent decennial census of the population, and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives by the method known as the method of equal proportions, no State to receive less than one Member.

"(b) Each State shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subse-

quent statute, to the number of Representatives shown in the statement required by subsection (a) of this section, no State to receive less than one Member. It shall be the duty of the Clerk of the House of Representatives, within 15 calendar days after the receipt of such statement, to send to the executive of each State a certificate of the number of Representatives to which such State is entitled under this section. In case of a vacancy in the office of Clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant at Arms of the House of Representatives; and in case of vacancies in the offices of both the Clerk and the Sergeant at Arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives.

"(c) Until a State is redistricted in the manner provided by the law thereof after any apportionment, the Representatives to which such State is entitled under such apportionment shall be elected in the following manner: (1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such State, and if any of them are elected from the State at large, they shall continue to be so elected; (2) if there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State; (3) if there is a decrease in the number of Representatives but the number of districts in such State is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such State; (4) if there is a decrease in the number of Representatives but the number of districts in such State is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State; or (5) if there is a decrease in the number of Representatives and the number of districts in such State exceeds such decreased number of Representatives, they shall be elected from the State at large."

SEC. 2. (a) Each State shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or such section 22, as amended by this act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member.

(b) If before the enactment of this act a certificate has been sent to the executive of any State under the provisions of such section 22, as in force before the enactment of this act, the Clerk of the House of Representatives shall, within 15 calendar days after the date of enactment of this act, send a new certificate to such executive stating the number of Representatives to which such State is entitled under this section.

The VICE PRESIDENT. The question is on the amendment in the nature of a substitute reported by the committee. The amendment is open to amendment.

Mrs. CARAWAY. Mr. President, I wish to discuss briefly the bill (H. R. 2665) to provide for apportioning Representatives in Congress among the several States by the equal-proportions method.

I do not think it is necessary to discuss this measure at length. I feel sure that the Senators who have read the bill as amended will readily grasp the wisdom and importance of its passage.

This bill passed the House many weeks ago. I think the House bill would have been favorably reported by the Committee on Commerce in the Senate and would have passed this body. However, the lend-lease bill was under consideration in the Senate. Some time was taken in its consideration and passage. Because of this, the apportionment bill could not be considered in time to meet the situation existing at the time.

The bill required an amendment which I offered in the committee. The amendment was adopted by the committee, and the bill as amended has been favorably reported to this body by a 2 to 1 vote.

The committee report is very conclusive, and I desire to read it as a part of my remarks:

The Committee on Commerce, to whom was referred the bill (H. R. 2665) to provide for apportioning Representatives in Congress among the several States by the equal-proportions method, having considered the same report favorably thereon with an amendment and recommend that the bill as amended do pass.

Under the act in existence at the present time and for which the pending legislation is intended to be substituted, the rule of major fractions prevails, and the existing law provided that unless the rule were changed within 60 days after the statement required by subsection (a), or by March 8, 1941, the rule of major fractions should apply to the apportionment of Representatives in Congress under the census of 1940.

The House of Representatives did pass a bill intended to change the rule on February 18, 1941. This bill came over to the Senate but was not acted upon, due to a congestion of legislation caused by the lend-lease bill and other causes. The Senate having failed to pass the House bill, the rule of major fractions was and is now in existence. Under this rule the State of Michigan gained one Representative and the State of Arkansas lost one.

Thereafter the Senate Committee on Commerce took up the House bill and has amended it as now reported to adopt the rule or method of equal proportions in lieu of the rule of major fractions. Under the equal-proportions rule Arkansas would maintain its present representation of 7, and Michigan would retain its present representation of 17.

In view of the fact that the legislation had not been enacted within the time limit prescribed in the act of 1929, the Senate Committee on Commerce inserted section 2, which reads as follows:

"Sec. 2. (a) Each State shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or said section 22, as amended by this act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member.

"(b) If before the enactment of this act a certificate has been sent to the executive of any State under the provisions of such section 22, as in force before the enactment of this act, the Clerk of the House of Representatives shall, within 15 calendar days after the date of enactment of this act, send a new certificate to such executive stating the number of Representatives to which such State is entitled under this section."

The effect of this section is to prevent the loss of one Representative in the House by the State of Arkansas, and to prevent the gain of one by the State of Michigan by a failure of the Senate to pass the House bill

within the 60-day period following the submission of the statement by the President. The pending legislation establishes the principle of equal proportions and remedies the failure of the Senate to act within the time prescribed in the act of 1929. The effect of the pending legislation is to maintain the same number of Representatives of the House as a whole and the same number from the State of Arkansas and the same number from the State of Michigan. The two principles considered were the principle of major fractions and the principle of equal proportions. Under each of these principles the effect upon the other States was the same; that is to say, some States lost, some gained, with the exception of the States of Arkansas and Michigan.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mrs. CARAWAY. I yield.

Mr. McKELLAR. Would it disturb the Senator if I asked a question at this point?

Mrs. CARAWAY. Not at all.

Mr. McKELLAR. May I ask if this bill will affect any other States than the two mentioned?

Mrs. CARAWAY. No; none at all. No other States would be affected.

In 1910, when the Congress reapportioned, there was no difference between these two methods as applied to any two States. This was also true in 1930.

I believe there would be very little, if any, opposition to this bill if it were not for the fact that the question of representation from my State of Arkansas and that of Michigan is involved. It so happens that if this bill should be passed, my State would not lose a Member of the House, as would occur under the present method of apportionment. It has been stated that the State of Michigan would lose a Member if the bill were passed. That is not altogether correct; it simply would not gain one. The State of Arkansas would not lose one.

Mr. HATCH. Mr. President, will the Senator yield at that point?

Mrs. CARAWAY. Certainly.

Mr. HATCH. Did I correctly understand the Senator to say that the representation of Michigan would remain the same if this bill should pass?

Mrs. CARAWAY. It would remain the same, and the representation of Arkansas would remain the same.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mrs. CARAWAY. I yield.

Mr. BARKLEY. Does that mean that if Arkansas lost one Representative under the contrary proposal, Michigan would gain the one that Arkansas lost?

Mrs. CARAWAY. Yes; what Arkansas would lose, Michigan would gain.

In 1910 the method of major fractions was adopted. At that time it was the only known method that would avoid the Alabama paradox. In 1921 Dr. Huntington, an outstanding mathematician at Harvard University, after a careful analysis of the problem, devised the method of equal proportions. Since then there has been no issue until now, for both methods gave the same results in 1930. In all this time no change has been made in Dr. Huntington's findings.

The committee decided to—

First. Select one method, and one only, so that no disagreement can arise to

create dissatisfaction with an automatic apportionment.

Second. Which method shall we select?

(a) We recommend the method which has the approval of all scientific committees which have studied the question:

First. National Academy of Science Committee, which reported to Congress at the request of Speaker Longworth in 1929.

Second. Advisory Committee to the Bureau of the Census, composed of prominent members of the American Statistical Association, and the American Economic Association, 1921.

(b) We recommend the method which has been discussed for 20 years and has not been disproved, but, on the other hand, has constantly gained new adherents who have investigated the subject. For example, Dr. L. F. Schmeckebier, who investigated the subject for the Brookings Institution, came out unequivocally for the method of equal proportions.

(c) We recommend the method which eliminates all considerations other than population. By using a relative difference rather than absolute difference, we do not have to consider whether to use the ratio of Representatives to population or the ratio of population to Representatives as a measure of justice. By using the method of EP, either ratio will give the same result. By not using EP, we must have a choice between the two ratios, for each leads to a different method, major fractions, and harmonic mean, respectively.

(d) The House of Representatives, after thorough study and extensive hearings, has expressed itself as favoring the method of equal proportions by passing H. R. 2665.

The method of major fractions and also the method of the harmonic mean both adhere to absolute differences. The advocates of either method ought to be able to give a reason for accepting the absolute measure rather than the relative measure; and it is equally true that the advocates of the method of equal proportions should be able to give reasons for accepting the relative rather than the absolute difference. But the burden of proof, as I look at it, rests a little heavier on the advocates of the major-fractions method, because they have to justify their choice of a ratio as well as their choice of the absolute or subtraction methods of measuring differences rather than the relative or percentage measure.

As stated in Senate Document No. 304, Seventy-sixth Congress, third session, page 6—

The method of equal proportions may be defined as the only method which will apportion a given number of Representatives among the several States so that the ratio of population to Representatives, and also the ratio of Representatives to population, shall be as equal as may be among the several States.

There is no doubt that the equal-proportions method brings about the greatest degree of fairness and is the method by which future apportionment should be figured.

There is no question that the method of equal proportionment is considered by

outstanding statisticians as the most equitable method to be used in the apportionment of Congress.

The pending bill as amended does not change the membership of the House of Representatives but retains its present membership of 435. The method of equal proportions is not only the most scientific yet devised but it is also the most equitable. The reapportionment of Representatives being primarily a problem of the House, I feel that the House having decided that the method of equal proportions should be used the Senate should concur in that decision. As I said before, had it not been for the national emergency and the protracted debate on the Lend-Lease Act, it is believed that the committee would have reported and the Senate would have passed H. R. 2665 before the expiration of the 60-day limitation contained in clause 22-B of the 1929 act as amended. Because of the protracted debate, it is not correct to presume that the Senate, not having taken action within the 60-day period, intended to disregard the action of the House in the matter. This bill deals exclusively with the membership of the House. I think the Senate should take that fact into consideration and grant to the House its wishes on this legislation.

Mr. President, I have taken but little of the time of the Senate to discuss this matter. I do not think it is necessary to take much time. The debate should be brief. The issues are clear. The House has acted favorably on the measure. The committee has also taken favorable action by a 2-to-1 vote, as I have heretofore stated. Therefore, Mr. President, I hope and believe the Senate will follow the wishes of the House of Representatives in this matter and pass the pending bill.

Mr. VANDENBERG obtained the floor.

Mr. BROWN. Mr. President, will my colleague yield to me?

Mr. VANDENBERG. I yield.

Mr. BROWN. I note that on the desk of each Senator is a copy of the bill and a copy of the majority report. I think the views of the minority should also be on the desk of each Senator in order that they may be read and considered.

The VICE PRESIDENT. The views of the minority will be distributed, as requested.

Mr. VANDENBERG. Mr. President, I know it is very difficult, in stressful times such as these, when so many issues of transcendent importance are pressing upon Senators, to attract the attention of the Senate to a matter of this character in any sort of effective fashion, but, from my point of view, as I shall presently indicate, I think the issue which confronts the Senate today goes to the very fundamentals of representative government, and at a time when we are tremendously interested in preserving representative institutions all around the world I hope the Senate will be willing to give at least casual attention to the preservation of our own.

The pending bill presents a very simple issue: Shall the Senate strike down the principle of automatic congressional reapportionment at its first test? Shall the Senate desert this vital constitu-

tional safeguard of an equally vital constitutional mandate the very first time it collides with political appetite? Shall we, at its first trial, scrap the statute which was written 11 years ago, amid great travail, to prevent constitutional nullification in the matter of congressional reapportionment? I think I can make it crystal clear that this is the deeply important proposition upon which Senators are now about to pass.

Superficially, the pending bill may seem to deal with the transient and comparatively trivial question of whether Arkansas or Michigan shall get one seat in the House of Representatives as a result of reapportionment incidental to the 1940 Census. True, that is the motive of the proponents of the bill—namely, to save one congressional seat for Arkansas. It is the same old motive, as old as politics itself, the motive of the gerrymander, which has been the curse of decennial reapportionment for 150 years—the motive, I may add, which those of us who were chiefly responsible for the automatic reapportionment law of 1930 thought and hoped we had outlawed for keeps. But the real issue is the integrity of this new statutory device to stop gerrymanders, to stop nullification, and to guarantee the decennial validity of that section of the Constitution which requires a decennial reapportionment of the House of Representatives.

I regret that, through a prank of fate, Michigan seems to have a selfish interest in the outcome. I cannot expect to be wholly acquitted, therefore, of a selfish interest in the result. But those who were here 11 years ago when the automatic reapportionment law was passed will remember my sponsorship of it, if I may be permitted this personal reference, and my personal part in the long and vivid battle which preceded its enactment. They will understand my attachment to the principle involved, and they will believe me when I say that, regardless of any incidental effect, I would resist to the limit of my capacity any present-day effort to checkmate that great advance in the protection of this essential constitutional warrant.

I remind Senators that reapportionment of the House has always been a bone of vast contention. It has always involved a perfectly human and perfectly understandable desire of each and every State in the Union to retain all of its House seats, regardless of the shifts in population which the Constitution says shall be measured every 10 years by a reapportionment reflecting these physical facts.

In the earlier days of the Republic it was comparatively easy to accommodate the aspirations of all concerned by the simple recourse of increasing the size of the House to save all the seats of whatever State stood to lose the most. This was the process by which the total membership of the House finally reached 435. But there came the time when statesmanship realized that this process could not go on forever lest the House become so numerous that it could not hope to function, and it was then that the decennial reapportionment problem became acute. It was then—when it was deter-

mined that the total size of the House should be increased no further—that trouble began to multiply in proportion as populations shifted.

This problem reached its climax in the decennium of 1920 to 1930. There were such violent shifts in population preceding 1920 and thereafter that the Constitution obviously required correspondingly violent reallocations of those 435 House seats. For 10 long years the prospective losers were able to stall the reapportionment machinery, which is to say that they were able to nullify one of the most fundamental provisions and principles of the Constitution of the United States; and from 1910 until 1930 there was no reapportionment at all, although great populous sections of the country were manifestly disfranchised as a result. Consequently, by way of illustration, in 1930, although the average congressional district was presumed to have about 200,000 people, some districts had as many as a million people—indeed, I believe one district had a million and a half people. It was a prime scandal in its sordid, selfish, nullifying disregard of the Constitution of the United States.

In 1930, Mr. President, we seriously faced this nullification; and we said that it should never occur again. We said, by solemn statute, that thereafter whenever a decennial census, as required by the Constitution, was concluded, the President should report the results to Congress, and, along with his report, should show how this census required Congress thereafter to be apportioned, by two well-known scientific methods, the method of so-called major fractions on the one hand and the method of so-called equal proportions upon the other. I shall speak about these technical methods in a moment. The important thing fundamentally is to follow through with this chronology, because it is the sum total of the whole case which should present itself to the conscience of the Senate.

This Constitution-saving statute said that the technical method applying in previous reapportionments should continue to apply unless Congress ordered otherwise within 60 days. In other words, unless Congress acted otherwise within 60 days, the next subsequent House would be reapportioned by the last prevailing method on the basis of the new census. Put somewhat differently, it said that the Constitution should no longer be cheated, that great American constituencies should no longer be cheated, by the old nullifying gerrymanders unless a majority of both branches of Congress agreed to the affront within 60 days.

Now comes 1941, and the report of the 1940 census and the first trial of this automatic reapportionment. The President reported the new census the first week in 1941. He also reported the appropriate reapportionment by the two methods prescribed by the statute. The method of so-called major fractions has been followed since the days of Daniel Webster. Therefore, it was controlling under the terms of the statute unless the Congress ordered otherwise within 60 days. Within this 60-day period the House voted to use the other method of

computation this time, namely, "equal proportions." The only physical difference was that the traditional method gave the State of Michigan one additional Congressman at the expense of the State of Arkansas, whereas the method of so-called equal proportions preserved the existing representation of these two States.

The Senate did not act within the 60 days required by statute. It makes no difference why it did not act. The statute does not deal in metaphysics. It sets down a hard and fast rule, and Heaven knows, out of the American experience, that rules have got to be hard and fast if constitutional nullification in a large sense is to be prevented in connection with the reapportionment of the House of Representatives. When the Senate did not act within 60 days, the statute made reapportionment by so-called major fractions final and conclusive and binding upon all concerned. The case was closed; the incident was finished; and the Clerk of the House so notified the States.

What happened then? The State of Arkansas, of course, still wanted to keep the one seat which was at stake in the House. I speak with the greatest respect of the State of Arkansas, and I fully understand the justification for the position taken by the able senior Senator from Arkansas [Mrs. CARAWAY] in this connection. I commend the tenacity and ingenuity to those who have sought to retain this seat for Arkansas. There was, however, only one possible recourse for them. They could not get that seat under the existing law of the land. They could not get it under the automatic reapportionment law which Congress said 11 years ago hereafter should be the hard-and-fast rule under which constituencies should have equitable constitutional representation in this Capitol. They could not get that seat under existing statutes which implement the Constitution. There was only one possible thing they could do, namely, to reach back into the 1930 law and rip it to pieces in good old gerrymander style for the sake of controlling one seat in the House of Representatives. Precisely that thing has been done and will be done by the pending substitute amendment now at the bar of the Senate. It makes no difference that only one House seat is involved. The principle would be the same if there were 50. Indeed, the bill in its pending form seeks to rewrite the automatic reapportionment law to satisfy the political representation of one State and to save its present representation. Dress it up as you please, Senators, that is the same old spirit of gerrymander which has been the vice of reapportionment for a century and a half, and which Congress thought it had terminated in the automatic law of 1930.

Mr. President, these gerrymanderers have been exceedingly clever. There is a certain degree of superficial piety about what they have done. They say the automatic law recognizes the method of "equal proportions" along with the method of "major fractions," and that the weight of technical authority favors equal proportions as more equitable, although we have used major fractions for

an unbroken century. So they plump for equal proportions—which saves this House seat to Arkansas—despite the clear fact that the existing law of the land, under existing circumstances, says that major fractions shall be used precisely as they have been used for 100 years. They say in the pending bill, Let us strengthen the automatic reapportionment law by removing this option as to method; let us simplify the formula by making equal proportions mandatory hereafter; and it is a very persuasive plea, Mr. President, because it does seem to simplify the automatic law.

Very well; so far so good. I do not think it makes any important difference whether the future apportionments are figured by major fractions or equal proportions. Usually they come out exactly the same; indeed, this is the first time there has been any difference. I would not attempt to give an authentic definition of the technical, mathematical discrimination between the two methods, because they are so involved and so apparently parallel. It takes an expert half an hour to explain the difference, and the nonexpert is totally befogged at the end of the 30 minutes.

If I could hope to reduce the difference to simple terms, as a layman, I should say it is approximately this: When reapportionment is figured, there is always a remainder in every State after full district quotas have been assigned. "Major fractions" measures each remainder in proportion to the population of the country as a whole. "Equal proportions" measures each remainder relatively in proportion to the size of the State in which it occurs. In other words, speaking loosely, a remainder of 20,000 in a State of 1,000,000 would enjoy priority over a remainder of 40,000 in a State of 5,000,000 people under "equal proportions" and vice versa under "major fractions." This greatly oversimplifies the problem but it will suffice to illustrate. Perhaps it might be put this way: "Major fractions" deals in pure remainders and "equal proportions" in weighted remainders.

Or it might be put this way: "Major fractions" seeks to put every citizen, no matter in what State he may live, upon an equality as respects his right to representation in the Congress of the United States, whereas "equal proportions" undertakes under certain indicated circumstances, as I have shown, to give one citizen an advantage over another in respect to the degree of his representation.

But, Mr. President, I dismiss this mathematical maze as irrelevant, inconsequential, and immaterial at the moment. While I have always preferred the method of major fractions, because I think the House as nearly as possible should reflect the distribution of the whole population of the Nation regardless of where a person lives, I am quite ready to yield to the method of equal proportions for future—with emphasis upon that word—for future reapportionments for the sake of writing one, firm method of reapportionment into the automatic law. It will probably not affect reapportionment once in 50 years. I agree, however, that it simplifies the law; and by so doing it strengthens the principle and minimizes

the argument. So I am prepared to vote for the portion of this bill down to section 2.

But, Mr. President, section 2 robs the remainder of the measure of any virtue which it could claim upon any pretext, from my point of view. In section 2 comes the vice of this whole miserable business. Section 2 proposes to make this exclusive use of "equal proportions" retroactive. It proposes to reach back into the 1930 law and apply this new principle to 1940. It proposes to tear up the 1940 reapportionment as already concluded under the existing law of the land. This is not for any love of "equal proportions" or for any zeal in behalf of preserving future automatic reapportionments. Perish the thought! It is to save one House seat for one State in good, old gerrymander style. This bill would never have been heard of—and everybody knows it—except as, by fortuitous circumstance, the present espousal of "equal proportions" would upset present automatic reapportionment as required by existing law. Section 2 reflects the same old manipulation which cheated constitutional reapportionment at the turn of the century. It implements the precise constitutional menace which the automatic reapportionment law sought to cure.

Mr. President, if, as this bill does in section 2, we are to rewrite the basic reapportionment law every 10 years in order to accommodate some political purpose, then we will have no automatic reapportionment law. Each decennium will again produce its own plausible excuse to upset the law every 10 years. We shall have lost the vast constitutional advantage which was gained in 1930 when we sought to put an end to this nullification. It may be said that the status of only one seat in the House, as involved in the present controversy, is a thing of minor consequence. So it is within itself. But it is the direction rather than the length of the step which is of paramount concern. Section 2 is a gerrymander precedent. If established, it will live to plague the very basis of constitutional, representative government in years to come, precisely as the lack of an automatic reapportionment law plagued constitutional representation for 20 years from 1910 to 1930.

Mr. President, nothing I have said is intended remotely as a reflection on the great State of Arkansas nor upon its representation in Congress. It is perfectly understandable human nature that any State should be tenacious of its undiluted representation in the Congress. But that, Mr. President, is the precise reason why I resist section 2 in this bill. I do not want any precedent established here and now which will encourage "human nature" to set the Constitution at naught in decenniums to come as it was nullified from 1920 to 1930, when "human nature" rather than the Constitution had the right-of-way.

I submit, Mr. President, that section 2 should be eliminated from the bill. Thereafter, and under those circumstances, I shall be glad to give the bill my support.

Let me say this in conclusion: If I am asked why I am willing to yield to equal proportions for 1950 and thereafter, and yet unwilling to yield to equal proportions in 1941, I answer that the former action sets the rules in advance of their application, which is the only way that automatic reapportionment ever can be saved, whereas the latter action seeks to fit the rules retroactively to existing circumstance, which is the traditional and favorite scheme for defeating representative equity.

Mr. President, that is my case. Over a decade ago I stood upon this floor by the hour, through many difficult days and weeks, seeking to establish the principle of automatic reapportionment in order to save the country from a repetition of the disgraceful circumstances under which there was no congressional reapportionment at all from 1920 to 1930. I am wedded to the principle. I think it is a fundamental constitutional necessity. I think it will always be found to be a necessity every 10 years when the census is taken. Obviously it is essential today. It will be essential every 10 years to come. If we are to set a precedent for consulting human nature and political appetite, instead of consulting the fundamental rule of the Constitution of the United States, then the section of the Constitution which guarantees equality of representation under the law will always be in jeopardy.

Mr. BURTON. Mr. President, the Senate has heard from the senior Senator from Arkansas [Mrs. CARAWAY] and the senior Senator from Michigan [Mr. VANDENBERG] on this bill. It was my privilege to serve as a member of the subcommittee which redrafted the bill and is reporting it here, and I voted for the bill. I have been asked to present the point of view of a Senator from a neutral State and as a neutral member of the subcommittee to state what the issue is and why I believe the bill to be sound, not a gerrymander in any sense, and entitled to be passed by the Senate in the interest of permanent sound procedure hereafter.

I believe that every Member of the Senate is fundamentally interested in the proposition involved. It can be made mysterious, but if we take the time to study the history of the matter and to analyze the bill it is not mysterious.

I wish to pay my respects and to extend my compliments to the senior Senator from Michigan [Mr. VANDENBERG] who rendered a distinguished service to the Nation when the act of 1929 was passed and a definite plan was agreed upon for the determination of future reapportionments. That plan, however, contained in it two alternatives. If this bill is passed it will complete the work begun in 1929 by eliminating one of those alternatives. Thereafter we shall have a completely automatic procedure every 10 years.

In order to understand the bill fully it is necessary to review the history of apportionment precedents, to analyze the provisions of the bill, and to give brief consideration to the merits of those provisions. I shall undertake to do that.

First of all, it is necessary to get a general picture of the bill. The bill before us, House bill 2665, comes before us in the form of a substitute presented by the committee. It consists of two sections. Section 1 provides that beginning with the census of 1950, and with the Congress to be elected in 1952, the equal-proportions method alone shall be used. Section 2 provides that the same method, thus chosen to be applied to the census of 1950, shall be applied to the census of 1940, inasmuch as the elections for the next Congress following that census have not yet taken place.

If we are to get the background for this bill, let us see first the constitutional history and then the statutory history of it. It is interesting, and not long.

There are two important constitutional provisions relating to it. The first is found in article I, section 2, clause 3, of the original Constitution, and reads as follows:

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.

Then it says:

The actual enumeration shall be made within 3 years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law direct.

This indicates that the rest must be determined by statute.

It then proceeds to state:

The number of Representatives shall not exceed 1 for every 30,000, but each State shall have at least one Representative.

The Constitution, therefore, merely says that there shall not be less than 48, or at the present time there shall not be more than 4,343 Members of the House. The statutes must determine the remainder of the problem.

An attempt was made to amend the Constitution of the United States at the time of the passage of the so-called Bill of Rights. Ten amendments were adopted, and two were defeated. One of the two defeated related to this section; but, of course, since it was defeated, we need not spend time upon it, except to realize that from the beginning this subject has been a matter of controversy and a matter of great study.

However, in 1868, there was a change made in article I, section 2, by the fourteenth amendment. In particular, this changed the first sentence of the paragraph to read as follows:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed.

This left out the reference to the slaves, indirectly contained in the original clause, but it still mentions "Indians not taxed." Now that Indians have been placed under the income-tax law, as a matter of practice, they all are now included in the population for apportionment purposes.

The Constitution does not settle our issue. The statutes must meet it.

There have been 16 censuses taken up to and including that of 1940. They fall into several different groups.

It is first interesting to note that the very first veto issued under the Federal Constitution was a veto by George Washington on April 5, 1792, of the first apportionment bill. He found that it did not conform to the Constitution for the reason that the 30,000 population figure had not been applied to the several States but had been applied only to the Nation as a whole. He insisted that it be applied to the several States, and that there should be no State in which there should be more than 1 Representative for every 30,000 persons.

That bill was vetoed on April 5, 1792. The first Apportionment Act to take effect was approved on April 14, 1792, 9 days later, and it used what was known as the Jefferson plan. What it did was this: It fixed a ratio of 1 Representative to every 33,000 persons, and then disregarded all fractions that resulted. Necessarily it can be seen that some fractions are obtained when we divide 33,000 into the existing populations of the several States. The Jefferson plan was to eliminate all fractions and use the next lower whole figure. That produced a House of 105 Members. That plan remained in effect for the next 4 censuses and let me point out that the statute passed each time fixing the new ratio was passed after the census and in the full light of its consequences.

In 1802 the ratio used was again 33,000. In 1811, a year after the census, it was 35,000. In 1822, 2 years after the census, it was 1 Representative to 40,000; and in 1832, 2 years after that census, it was 1 Representative to every 47,700.

In 1840 there came the Webster plan, which sometimes has been referred to as the major-fractions plan. It is not the major-fractions plan referred to in the present statute. It was a simple major-fractions plan which resulted from the following computation: A ratio was fixed and at that time it was 1 Representative to 76,680 persons. Incidentally, the census then taken was the first census after Arkansas and Michigan had come into the Union. Their admission in apportionment started right then.

This quota was divided into the populations of the several States; and, instead of disregarding all fractions, the fractions were given representation wherever they showed the State to be entitled to more than one-half of an additional Representative or a major fraction. The Webster plan, therefore, was given the name of the major-fractions plan; and, of course, it could readily be applied as long as Congress was willing to readjust the total membership of the House up or down to fit it. At that time it produced a House of 223 Members. The plan lasted in that form for just 1 census.

In 1850, the Vinton plan was adopted. It was named after Samuel F. Vinton, a Representative from the State of Ohio; and I think it is appropriate for me to read into the RECORD at this point just one or two sentences from his speech of

April 30, 1850, advocating the plan and bearing upon the subject. He said:

As one of the members of a large State, which can afford as well as any other to bear the loss of a fraction, I am willing to waive the advantage Ohio would have over a small State in the adjustment of an apportionment bill and that she shall take her equal chance only with her smaller sisters. I know no reason why the large States, such as Ohio or Virginia, shall have any advantage over New Hampshire or Arkansas.

I propose to show later by quotations from competent authorities that the equal-proportions method now being advocated is the only one of the modern scientific methods that does give equal treatment to all States, be they large or be they small.

Let me say that Vinton was the pioneer in trying to work out a plan to be adopted before the census was taken and before the apportionment was made; and he did succeed in securing a statute which provided that the House should be fixed at 233 Members before the 1850 census was taken. After the census was taken, it was raised to 234. On that basis the statute determined the ratio for the Nation, applied it automatically to the States, and prescribed that that same method be used from then on after all succeeding censuses for all succeeding apportionments.

The Vinton plan further provided, when the fractional point came up, that fractions should be recognized as far as the predetermined size of the House of Representatives would permit their recognition. It would go down through the major fractions into the minor fractions. In fact, it really was the method "higher fractions," be they major or minor. The natural attack on it was to change the size of the membership of the House. This Vinton plan of higher fractions survived from 1850 to 1900, but the size of the House of Representatives was increased in 1862 to 241; in 1872, to 283; in 1882, to 325; in 1891, to 356; and in 1901, to 386. The House was becoming unwieldy.

In 1910 there was an attempt made to reach a solution which would settle the matter. There was then adopted the modified major fractions plan, which is substantially the plan now being used, together with the aid of a mathematical procedure involving a priority list that has simplified its use. This modified major-fractions plan was adopted on the basis of a House of 433 Members, with a provision that if Arizona and New Mexico came into the Union they were each to start with one additional Representative. This fixed the size of the House at 435, and there it still stands.

Difficulty then arose in attempting to work out a plan to meet changes in population without changing the size of the House. To apply the major-fractions plan to the 435-man House, even in 1910, it was found that under the strict major-fractions rule there would be 4 men left over. This would require a 439-man House; so that the major-fractions plan was modified by arbitrarily increasing ratio figure until it would leave only 435 Representatives, including the major fractions. This produced a modified major-fractions plan which, in fact,

forced the major-fractions plan into the predetermined number fixed for the House. That was the 1910 program.

In 1920 the thing occurred to which the senior Senator from Michigan has referred. No reapportionment was made, in spite of the Constitution, in spite of the new census, and in spite of the fact that 42 bills were introduced to attempt it. The 1920 census never was made use of as a basis for apportionment. The House of Representatives continued to be of the same membership, per State, as had been fixed by the 1910 apportionment, even though it was completely out of line and getting worse with every year.

It was then that the now senior Senator from Michigan took a leading part in rendering a great service by securing the passage of section 22 of the act of June 18, 1929, which still is the basis for the procedure now in effect. It was passed before the results of the 1930 census were known. I think it would be of benefit, for the RECORD and ourselves, if we recognize that in 1929 when this question was under discussion there then was had, for the first time, serious recourse to scientific and higher mathematics in an effort to determine, apart from politics, what might be the solution suggested by pure mathematics as providing the fairest result.

Mathematicians came forward with five different plans, one of which was the equal-proportions plan, one of which was the major-fractions plan, but I think that it will be helpful if we list all five here, analyze them briefly, and recognize their effects upon the interests of the smaller States and the larger States as determined by those who made a scientific study of the problem.

I quote from a book on Congressional Apportionment, published in 1941, by the Brookings Institution, and written by L. F. Schmeckebier, who has studied a great many District and Federal problems. On page 69 he makes these interesting statements about the five methods involved:

Considering the methods separately we thus find that, as compared with the method of equal proportions, the method of smallest divisors gives larger representation to the small States; that the method of greatest divisors gives larger representation to the large States; that the method of harmonic mean tends to give a larger representation to the small States, but not as great as the method of smallest divisors; and that the method of major fractions tends to favor the large States, but not to the same degree as the method of greatest divisors. The method of equal proportions tends to give the most equitable distribution among the States regardless of size.

Then, on page 72, after quoting the constitutional provision, he says:

There is nothing in the clause that contains any conflict between large and small States, either singly or as groups. The apportionment is to be according to the respective numbers. The Constitution contemplates equality, but as it is impossible to attain absolute mathematical equality, the apportionment must be such as to reduce inequality to a minimum. As explained on preceding pages, varying differences are used in the several methods to measure the degree or amount of inequality, but both the weight of authority and the equity of the apportionment indicate that the method of

equal proportions is more desirable than any other method that has been devised.

The law of 1929 recognized both the methods of major fractions and equal proportions. It was an ingenious solution, and it prescribed that the President 1 week after the opening of the second session of the existing Congress in December, following the taking of the census and allowing over 8 months for the preparation of the count, should certify what the apportionment would be under the method known as the method of major fractions, what it would be under the method known as the method of equal proportions, and what it would be under the method used in the last preceding apportionment. Of course, the last-used plan at that time was the major fractions plan of 1910. Therefore, there really were two computations, and, interestingly enough, when the 1930 census came to be examined, it was found that the major fractions plan and the equal proportions plan produced exactly the same representation. Therefore, there was no occasion in 1930 to raise the point that is being raised now, because there was no difference between the two plans at the time. There would have been a difference in 1920 and there is one in 1940, but in 1930 there was no difference. Congress, therefore, did nothing in 1930, and, by virtue of doing nothing, the method used in the last preceding apportionment automatically became applicable. As a result, the apportionment was made in 1930 in accordance with the method of major fractions, which produced the same apportionment as would have been produced by the method of equal proportions.

Now we come to our present situation, with one intervening incident. In 1933 the Constitution had been changed as to the time when the Congress should meet. It was provided that Congress would meet on January 3, 1940, instead of December 1940, following the 1940 census. Obviously it was not possible for the census count to be ready by January 3, and, therefore, the law was amended so as to provide that within 1 week after the meeting of the next Congress, namely, on January 3, 1941, the President should certify his computations to the Congress and that within 60 days after that date Congress should elect between the two plans.

When the apportionments were computed on the 1940 census it then became clear that under both plans there would be many changes, but the two plans would work out alike in all of these changes, except that under equal proportions plan, the apportionment would leave Arkansas and Michigan as they were and under the major fractions plan the apportionment would give Michigan one more Representative and Arkansas one less Representative.

Under those circumstances, it became of some importance to choose between the two plans. The House of Representatives on February 18, 1941, I believe, I recall the date, elected under this procedure to choose the equal-proportions method, as it had a right to do. The bill then came to the Senate. The Sen-

ate was discussing the lend-lease bill. The last day on which the Senate could act on the measure within the 60-day limit was March 8, 1941. On March 7 and March 8 the Senate was voting all day on the lend-lease bill, and the matter never did come to the floor of the Senate before March 8, 1941. Thereupon, by virtue, not of a consideration of its merits by the Senate but by virtue of international circumstances such as they were, the 60-day period expired, and no action was taken, with the result that the 1910 method of major fractions again became applicable, although the House of Representatives, which was most vitally affected, had elected to proceed under the equal-proportions plan. Consequently, when this matter comes up today, it is not a matter of gerrymandering; it is a matter of acting now with the same freedom as could have been exercised before March 8 if there had not been other matters before the Senate which precluded any consideration of the bill at all by the Senate. The Senate should now proceed to select the plan for apportionment under the 1940 census and to determine for the future which plan shall be used. It therefore becomes necessary to examine the bill, which contains several vitally important provisions.

In section 1 the first thing it does is to substitute a single standard for a double standard. It selects permanently the equal-proportions method to be applied to the 1950 census and thereafter. Next it adapts the procedure of section 1 to this single standard.

It provides, among other things, that the clerk, after having received a determination of what the apportionment shall be, shall within 15 days, give notice to the executive of each State, stating the number of Representatives to be allotted to that State. There is then a change made in the detail of the act which I need not discuss here, except to say, for the benefit of the Record, that in the former act it was provided that in the absence of the clerk, this notice should be given by the officer who, under section 32 or 33 of the Revised Statutes, is charged with the preparation of the rolls of Representatives-elect. An examination of the statutes shows that that officer is an officer of the preceding Congress, and therefore, in order to eliminate that difficulty, it is now provided that in the absence of the clerk it shall be done by the Sergeant at Arms, or in his absence, by the Doorkeeper of the House of Representatives of the current Congress, those being the same officers who formerly would have been named as officers of the preceding Congress.

In subsection (c) of section 1 it is prescribed what shall take place in a State that receives a change of its apportionment before it has provided new districts to fit the new apportionment. This merely writes into the law the situation as it seems to be now settled by decisions of the courts. It clarifies and lends authority to the existing practice.

Now section 2: This section does not gerrymander anything. Section 2 merely makes applicable now, before the next session of the Congress and before the

next election, the rule determined on, on its merits under section 1. If we were determining section 2 first, and then were trying to conform our permanent policy, to that choice, that would be one thing; but if, as the senior Senator from Michigan [Mr. VANDENBERG] has indicated, the permanent policy for the United States, from now on is to be, as I believe it should be, on the authorities I shall quote, the equal-proportions plan, then, having made our decision upon principle there certainly is not a reason for saying that the application of the sound principle of the future to the present is a gerrymander of anything.

Mr. VANDENBERG. Mr. President, may I ask the Senator one question, and one only?

Mr. BURTON. Certainly.

Mr. VANDENBERG. I compliment the Senator upon the very able historical presentation he is making of the subject. On his final comment, however, I want to ask him this question:

Does he think this bill would be here at all if the only motive were a tremendous loyalty to the mathematical superiority of the system of equal proportions; or is not the bill here in order to transfer one seat in Congress contrary to the terms of existing law? Is not that the reason why the bill is here; and does not that prove that it is a political move, and not the magnificent thing to which I know the Senator from Ohio himself is deeply wedded?

Mr. BURTON. Speaking from a neutral State, let me point out what I think the situation is.

The reason why the bill is here is because the act of 1929 forced upon the Congress the obligation of electing between two different methods of apportionment when there was a difference between them. It became necessary for the Congress to elect or not elect under those circumstances. Therefore, in 1941 it became appropriate that a bill be introduced—whether by someone representing Michigan or Arkansas or someone else—providing that Congress should make its selection. The situation today is that because the Senate was unable to reach this issue under the existing statute by March 8, it is now highly appropriate that the Senate reach the issue on its merits now that there is time to consider it on the merits. There still is ample time before the next election in the several States. Necessarily, every time there has to be a choice between one method or the other under the existing statute, it will affect one State or another. The existing law—which I commend the Senator for putting into our system—nevertheless carries with it a certain vice, namely, that every 10 years, for a period of 60 days after certification of the figures to Congress, there will be forced upon Congress this particular controversy. My contention now is that we should eliminate that double standard, put in one standard, and, having determined that question on the merits, and on the merits alone, we should not now dissuade ourselves from putting it into effect at once merely because it has a certain effect upon certain States at this time.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BURTON. Yes, sir.

Mr. BARKLEY. I am not sure that I fully understand the Senator's contention with respect to the act of 1929. I served in the House of Representatives for a good many years, and on two occasions during my membership we had before us the question of apportionment among the States of the Members of the House. The House of Representatives had become so unwieldy that nobody really wanted to increase its membership, as it had been increased every 10 years prior to that time, in order that no State should lose a Member of the House; and that more or less artificial increase every 10 years was kept up largely because States which were about to lose Representatives naturally protested.

I have forgotten whether it was in 1920, but I think it was as a result of the census of 1920 that the House of Representatives determined, and the Senate concurred, that there should be no increase in the membership of the House. Many States lost Members because of a disproportionate increase in population in some States. My own State lost two Members of the House in 1920. The legislature did not redistrict, and they all had to be elected from the State at large. The sentiment being pretty general that there ought not to be any increase in the membership of the House—if I had my way about it, after serving there 14 years, I would decrease the membership of the House rather than increase it—having reached that conclusion, they undertook to provide a formula that would prevent the temptation thereafter to increase the membership of the House in order to take care of local situations. In that attempt, if I correctly understand the Senator, they rather more or less left in the air still the question of major fractions and equal proportions, so that every 10 years the House still is confronted with the question of whether it would stand by one method or the other. Is that correct?

Mr. BURTON. That is correct.

Mr. BARKLEY. That presupposed that at the end of every decennial census Congress would take some kind of action, because they had to make a decision; so that it was really not an automatic, perpetual law that was put into effect, which by itself took care of the situation as it arose every 10 years.

Mr. BURTON. Except that the act did say that if the Congress failed to reach a conclusion as to which method they choose, the apportionment should then be made under "the method used in the last preceding apportionment." To that extent it was automatic.

Mr. BARKLEY. Yes; that is true; but it still left it open to Congress to decide one way or the other.

I am not personally interested in the controversy between Michigan and Arkansas as States. It just so happens that the population increase in those States brings about this controversy. As a matter of precedent, I am not concerned about it one way or the other, and I would not inject myself into a controversy between the two States on that

score; but I have always had a feeling that inasmuch as this question involved the membership of the House alone, we ought to give great deference to the viewpoint of the House in determining its own membership and the method by which they were to be apportioned and elected; and I think that is a reasonable view to take of the matter. Does the Senator give any weight to that suggestion?

Mr. BURTON. I think that is true; but I also think that under the Constitution we have a grave responsibility on our own account to perform.

Mr. BARKLEY. Oh, yes; we have a joint responsibility in regard to that, too; but, so far as I know, the Senate has never attempted to change the viewpoint of the House with respect to the number of men who shall serve there. All during these years, when they increased their membership every 10 years so as to take care of these local situations, the Senate did not interfere with the action of the House, and it might not have done so in 1920 if there had been an increase in the membership, which there was not, so that the question did not arise. But I cannot avoid the feeling, and it may have some effect on my vote, that on a matter of this sort, involving the membership of the House, though we cannot escape our responsibility, the burden of proof is on somebody to prove to me that the House is wrong in determining the method by which its own membership shall be selected.

Mr. BURTON. It would be fair to state to the Senator that the pending bill as it now stands does go a bit further than that of mere election. When the House voted on February 18, 1941, they did choose the equal-proportions method for the 1940 census. That is as far as they had to go under the statute, and that is as far as they did go. Now that that period has gone by, and we act upon it now, we would go further and propose to change the fundamental law and adopt the equal-proportions method from now on, beginning in 1950, and then, we say, that inasmuch as we have determined on it from now on, we see no reason why we should not apply it to the 1940 census at the present time, and that conforms to the choice made by the House on February 18, 1941.

Mr. BARKLEY. This bill, as I read it, applies to the Eighty-second Congress.

Mr. BURTON. The first section does.

Mr. BARKLEY. To the Eighty-second Congress, and therefore does not take effect until after the next decennial census in 1950; but the second section would make it in a sense retroactive, to take effect under the 1940 census.

Mr. BURTON. Let me say to the Senator that I believe it is a misnomer to say "retroactive," because we are acting on the matter at just about the same time that every Congress has heretofore acted upon the question of apportionment—that is, before the next election following the census. It would be retroactive if it attempted to proceed technically under the present statute; but if we are changing the statute and are to have a single standard from now on, it seems to me it

is not retroactive, and is amply in proper time.

Mr. BARKLEY. It is probably retroactive only as compared to 1950, but it does take effect on the basis of the 1940 census.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BURTON. Yes.

Mr. VANDENBERG. I desire to make a suggestion to the Senator. I am perfectly willing to agree with him, as I indicated in my presentation of this subject, that it is to the advantage of the automatic reapportionment law to eliminate the optional methods. I have told him that repeatedly.

Therefore I agree to the first half of the bill, and I agree that the first half, standing by itself, does what the Senator indicates, namely, eliminates one further, final friction which might interfere with the subsequent automatic operation of the law.

As the Senator knows, my objection is to section 2, which, in spite of his disclaimer, I insist is retroactive legislation, because it definitely applies after the formula which exists in the statute was written and became effective in respect to this year's reapportionment. My sole objection is to the vice of reaching back into this situation and remodeling the representation in Congress to fit a political situation. Why can we not agree on the fundamental principle to which the Senator devotes his great loyalty, and let us unanimously pass section 1, and then let us have the able Senator from Ohio join me in eliminating section 2, which is the vice involved? Then we will have a happy conclusion, to which both of us, in our virtue, can yield our fidelity.

Mr. BURTON. Replying to the Senator, the reason for not joining in the compromise is that, having determined upon "equal proportions" as being the sound and proper basis of representation for the people of Arkansas and Michigan from 1950 on, it seems to me we are not justified on any principle in not applying it to their next intervening elections. There will be five elections between now and that of 1952, and if the principle is good in 1952, following the 1950 census, the principle is good now. There are arguments affecting the existing situation into which I need not go, but the one I have stated is the one upon the consideration of which I think the Senator should be moved to stay with me, instead of insisting that there be a variation from the principle based on proper mathematics that we are to adopt for the long future.

Mr. VANDENBERG. If the Senator is logical in what he now says, then we would be equally justified in taking our new tax law, which we say is essential to provide adequate appropriations for the defense of the United States, and apply it backward to the incomes of 1940 and 1939 because we need the money. If it is good law now, it would have been good law then. Why not apply it?

Mr. BURTON. Not at all, because section 1 sets up a matter of principle, and we have not reached the point where it has discommoded or changed anything under the existing law. We have ample time, at this date, before the primaries,

and before the elections for the next Congress, to apply the sound principle to it. It is not retroactive in anything except in the Senator's idea that it goes back over the step by which notices now have gone out to the country based upon the failure of Congress to make any choice within the 60-day period presented by the existing law. But there have not been changes of position by anyone. If we can adopt the proper principle for the election in 1952 and all thereafter, I see no reason why we should not adopt the proper principle for those that intervene.

Mr. VANDENBERG. I shall not interrupt the Senator further, but I merely wish to observe that under section 2 there is opportunity for a gerrymander; and if we are to change the statute, it has to be retroactive.

Mr. BURTON. Just one word about the term "gerrymander." I understand it takes its name from the fact that Gov. Elbridge Gerry, of Massachusetts, at one time secured a rearrangement of voting districts to favor the party in power. In the instant case we have just the opposite of gerrymandering, because we are adopting, in section 2, a principle which has been approved by the most scientific students of representation there are in the United States. It is the opposite of a gerrymander, it is an attempt to apply the most equitable basis possible.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. VANDENBERG. I promised the Senator not to interrupt him again, but I am forced to because of my insistence on the other magnificent panel of technicians. I am sure they are entitled to the same consideration the Senator gives to his, and to be considered along with the experts he is now about to quote.

Mr. BURTON. I should be glad to have the Senator bring forward those experts, because when I have read from those I am about to quote it will be recognized that they are the ones who are naturally recognized, because of the circumstances under which they make their representations.

I now call to the attention of the Senate, and I wish to have them clearly stated in the Record, several brief statements from authorities whose qualifications all Senators readily will recognize. First I call attention to the report of the Advisory Committee to the Director of the Census in 1921. In brief, this Census Advisory Committee states:

The method of equal proportions, consistent as it is with the literal meaning of the words of the Constitution, is logically superior to the method of major fractions. (CONGRESSIONAL RECORD, April 7, 1926.)

Next I refer to the report of the National Academy of Sciences in 1929, prepared, I may say, at the request of Speaker Nicholas Longworth, of the House of Representatives. On this controversial question it concluded thus:

The method of equal proportions is preferred by the committee because it satisfies the test (of proportionality) when applied either to the sizes of congressional districts or to numbers of Representatives per person, and because it occupies mathematically a

neutral position with respect to emphasis on larger and smaller States. (CONGRESSIONAL RECORD, March 2, 1929.)

Laurence F. Schmeckebier, at page 72 of his excellent book on Congressional Apportionment, published in 1941, by the Brookings Institution, says this:

The Constitution contemplates equality, but as it is impossible to attain absolute mathematical equality, the apportionment must be such as to reduce inequality to a minimum. * * * both the weight of authority and the equity of apportionment indicate that the method of equal proportions is more desirable than any other method that has been devised.

Prof. Zechariah Chafee, of the Harvard Law School, in an article on Congressional Reapportionment, published in the Harvard Law Review, volume 42, 1929, pages 1015-1047, says the following:

Of the political factors already considered, none weighs appreciably against the method of equal proportions. It remains to state the strongest political argument in its favor. The preservation of a respect for law will, in the long run, be best obtained by the adoption of the plan which is least likely to produce a sense of unfairness in those who are forced to obey legislation. Each successive reapportionment will cause an increasingly critical examination of inequalities by the States which lose seats. Consequently, the mathematical superiority of the method of equal proportions is also a political merit. Because of its mathematical soundness, it is the method which can best stand up under this unavoidable and intense critical examination.

Dr. E. V. Huntington, of the department of mathematics of Harvard University, writing in A Survey of Methods of Apportionment in Congress, presented to the Senate by the Senator from Massachusetts [Mr. WALSH] and ordered printed on October 7, 1940, stated:

It was not until 1921 that a satisfactory mathematical analysis became available. This led directly to the method of equal proportions, which has since been approved by the highest scientific authorities (p. iii).

In Dr. Huntington's letter to the members of the Committee on Commerce of the Senate, dated February 22, 1941, he said:

If Congress desires to equalize the congressional districts as far as possible among the States, the method of equal proportions will always give a better result than the method of major fractions.

He illustrates this by saying that under the major-fractions method, under the 1940 census, the difference between Arkansas and Michigan would be 11.26 percent, and under the equal-proportions method the difference would be 11.02 percent.

Again I quote from Dr. Huntington:

If Congress desires to equalize the number of Representatives per million inhabitants as far as possible among the several States, the method of equal proportions will always give a better result, on a percentage basis, than the method of major fractions.

Finally, I cite Dr. Calvert L. Dedrick, now Chief Statistician of the Statistical Research Division of the Bureau of the Census, who, while not attempting to advise on the question of policy, has approved equal proportions as the most

scientific method. In a statement to the committee he approved, as the definition of "equal proportions," the statement contained in Senate Document 304, issued by the Seventy-sixth Congress, third session, as follows:

The method of equal proportions may be defined as the only method which will apportion a given number of Representatives among the several States so that the ratios of population to Representatives, and also the ratios of Representatives to population, shall be as equal as may be among the several States.

That completes the citation of authorities for the equal-proportions method, and I believe they will be convincing to anyone who is seeking the mathematical soundness of the result.

In concluding, and referring to section 2 of the bill, I believe that if we approve section 1 on principle, section 2 should also be approved on principle, first, because it is right for the reasons just stated; second, because it also happens to be most convenient under the present circumstances.

Ordinarily hard conditions make hard law. In this case hard conditions make good law, because in this case if we follow the method of equal proportions, which is the sounder method, we then leave the representation of both States which have been mentioned precisely as it is, whereas if we adopt the other method, which is not as good, under these authorities, then we disturb the existing representation. In Arkansas, in particular, where there would be a reduction of one Representative in Congress, we would force them into an election at large, which would result in much more expense, for filing fees and the like, and create considerable hardship for all candidates for Congress in that State in 1942.

Third. It has been passed already by the House of Representatives, which is, of course, primarily concerned in this matter.

Fourth. It does not seek to overthrow the rule of the 1929 law. It merely seeks to apply that rule and apply it in accordance with sound principle.

I believe, therefore, that the Senate owes it to itself to make it clear at this time that it is simplifying the procedure, and that it is favoring the most scientific method, not only for the long future, but now.

Mr. President, at this point, immediately following my remarks on House bill 2665, I ask unanimous consent to have printed in the Record an article by Calvert L. Dedrick, chief statistician of statistical research of the Bureau of the Census, entitled "Some Essentials of Apportionment Methods," which mathematically demonstrates the application of these several principles to the cases in Michigan and Arkansas.

There being no objection, the article was ordered to be printed in the Record, as follows:

SOME ESSENTIALS OF APPORTIONMENT METHODS
(By Calvert L. Dedrick)

Let us begin our discussion of methods of apportionment by assuming that a distribu-

tion of the 435 seats in the House of Representatives has been made; for example, table 1 of the President's message on apportionment.¹

We can test this distribution by a very simple process of arithmetic, requiring only a knowledge of division, subtraction, and decimals. Our aim will be to get a better or more equitable distribution of seats by taking a Representative away from one State and giving it to another. It is obvious, of course, that we are assuming that the size of the House is fixed at a definite number—in this instance, 435 Members—but it could be any number larger than 48 and smaller than 4,343.²

We need not consider how a better distribution of seats could be obtained by increasing the size of the House and thus shifting the border-line States, for that problem is political, not mathematical.

The gentleman from Arkansas says, "We now have 7 Members and a population of 1,949,387. Michigan has 17 Members and a population of 5,256,106. By the method of major fractions you propose to take a Member away from Arkansas and give it to Michigan. Why?"

The answer is simple. Table 1 indicates that with 7 Representatives and 1,949,387 people, Arkansas has 3.5909 votes in the House of Representatives for each 1,000,000 people. Michigan, with 17 Representatives for 5,256,106 people, has only 3.2343 votes in the House for each 1,000,000 people. Michigan is underrepresented by 0.3566 votes per million people as compared with Arkansas. This is determined by subtracting Michigan's ratio from that for Arkansas. If a Representative is taken away from Arkansas and given to Michigan, the ratios will be: Arkansas, 3.0779; Michigan, 3.4246. Arkansas is now underrepresented by 0.3467 votes per million people as compared with Michigan. But the transfer has reduced the difference between the States from 0.3566 to 0.3467; that is, the absolute amount of underrepresentation has been made smaller. It would be ideal to have no difference at all, but in the absence of an ideal situation we should attempt to make the disparity as small as possible.

TABLE 1.—Comparison of Representatives per million people

	1940 population	Before transfer		After transfer	
		Representatives	Representatives per million	Representatives	Representatives per million
Michigan.....	5,256,106	17	3.2343	18	3.4243
Arkansas.....	1,949,387	7	3.5909	6	3.0779
Absolute difference.....			.3566		.3467

"But," says the gentleman from Arkansas, "I am thinking of how big our congressional districts will be if we have only 6. With a population of 1,949,387 and 7 Representatives, each of us has an average district of 278,484 people; with only 6 Members, we would have an average district of 324,898. On the other hand, the average population per district in Michigan would be decreased from 309,183 to 292,006. Now, let me show you some simple arithmetic:

¹ H. Doc. No. 45, 77th Cong., 1st sess.

² The Constitution requires that each State be given at least 1 Representative and limits the number to 1 for each 30,000 people in a State.

TABLE 2.—Comparison of average congressional districts

	1940 population	Before transfer		After transfer	
		Representatives	Average district	Representatives	Average district
Michigan.....	5,256,106	17	309,183	18	292,006
Arkansas.....	1,949,387	7	278,484	6	324,898
Absolute difference.....			30,699		32,892

"To use the same reasoning as before, ideally there should be no difference at all, and, in the absence of an ideal situation, we should try to get the smallest possible difference. By shifting a Representative from Arkansas to Michigan (as required by the method of major fractions) you have increased the absolute amount of difference between the average congressional district in the two States."

The gentleman is right. The method of major fractions does not equalize as nearly as possible the average congressional districts among the States. It only equalizes the votes in the House of Representatives per million people in the States.

There is a method which we might call that of "equalized districts." It equalizes as nearly as possible the congressional districts of the States, if the inequality between average districts is measured as an absolute difference. The reason this method is not mentioned in the apportionment law is its awesome title; it is the method of the harmonic mean.

By this method Arkansas should retain its present 7 seats and Michigan its 17 seats.

Now comes a gentleman from Michigan to say, and with some mathematical and legal justification, "The measure of difference should be in terms of votes in the House of Representatives per million people in the State. Therefore we should use the major-fractions method." Equally justified is the gentleman from Arkansas when he says, "No; the measure of difference should be in terms of the average size of a congressional district. Therefore we should use the harmonic-mean method."

Let us now introduce a mathematician. His remarks on the subject would be somewhat like this: "You are really interested in securing a method which will make the difference between the two ratios as small as possible. You should consider using the percentage of difference instead of the absolute amount of difference."

"If the gentleman from Michigan and the gentleman from Arkansas would only agree that the object of apportionment was to get the smallest relative (i. e., percentage) difference in their measures of 'fairness' they would get precisely the same answer."

To use the above examples:

TABLE 3.—Comparison of percent differences

Measure	Before transfer	After transfer
Representatives per million people (from table 1):		
Michigan.....	3.2343	3.4246
Arkansas.....	3.5909	3.0779
Percent difference.....	11.02	11.26
Average size of district (from table 2):		
Michigan.....	309,183	292,006
Arkansas.....	278,484	324,898
Percent difference.....	11.02	11.26

The method which equalizes as far as possible the congressional districts of any two

States (and therefore of all States), and at the same time equalizes as far as possible the representation per million people, the disparity in each case being measured as a relative or percentage difference, is the method of equal proportions.

"The method of equal proportions may be defined as the only method which will apportion a given number of Representatives among the several States, so that the ratios of population to Representatives, and also the ratios of Representatives to population, shall be as equal as may be among the several States." (S. Doc. No. 304, 76th Cong., 3d sess., p. 6.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. LAWRENCE J. CONNERY, late a Representative from the State of Massachusetts, and transmitted the resolutions of the House thereon.

NAVAL SALVAGE FACILITIES

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1731) to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes, which was, on page 2, line 8, after the word "funds", to insert a comma and "not in excess of \$3,000,000 annually."

Mr. WALSH. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

OUTRIGHT REPEAL OF NEUTRALITY ACT

Mr. BRIDGES obtained the floor.

Mr. WALLGREN. Mr. President, will the Senator from New Hampshire yield so that I may suggest the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Washington for that purpose?

Mr. BRIDGES. I yield.

Mr. WALLGREN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Peace
Aiken	Gillette	Pepper
Andrews	Glass	Radcliffe
Bailey	Green	Roster
Ball	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Billbo	Herring	Smathers
Brewster	Hill	Spencer
Bridges	Johnson, Calif.	Stewart
Brooks	Kilgore	Taft
Brown	La Follette	Thomas, Idaho
Bunker	Langer	Thomas, Okla.
Burton	Lee	Thomas, Utah
Butler	McFarland	Truman
Capper	McKellar	Tunnell
Caraway	McNary	Vandenberg
Chavez	Maloney	Van Nuys
Clark, Idaho	Mead	Wallgren
Clark, Mo.	Murdoch	Walsh
Connally	Murray	Wheeler
Danaher	Norris	White
Davis	Nye	Wiley
Doxey	O'Daniel	
Ellender	O'Mahoney	

The PRESIDING OFFICER. Seventy-three Senators having answered to their names, a quorum is present.

Mr. BRIDGES. Mr. President, for the senior Senator from Vermont [Mr. AUSTIN], the junior Senator from South Dakota [Mr. GURNEY], and myself, I send to the desk an amendment to House Joint Resolution 237; and I should like to speak upon the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to amend the joint resolution (H. J. Res. 237) to repeal section 6 of the Neutrality Act of 1939, and for other purposes, by striking out all after the enacting clause and inserting in lieu thereof the following:

That the Neutrality Act of 1939 is hereby repealed; but offenses committed under such act prior to the date of enactment of this joint resolution may be prosecuted and punished, and suits and proceedings for violations of such act or any rule or regulation issued for the enforcement thereof may be commenced and prosecuted, in the same manner and with the same effect as if such act had not been repealed.

Mr. BRIDGES. Mr. President, in offering this amendment for the Senator from Vermont [Mr. AUSTIN], the Senator from South Dakota [Mr. GURNEY], and myself, I believe we are expressing the wish and desire of many Americans who hope that the Neutrality Act which today binds the hands of this country should be repealed. In 1937 I was one of six United States Senators to vote against adoption of the so-called neutrality legislation. It may not be out of place to mention who the six Senators were. They were the Senator from Vermont [Mr. AUSTIN], the Senator from Rhode Island [Mr. GERRY], the Senator from California [Mr. JOHN-SON], the Senator from Massachusetts [Mr. LODGE], and the late Senator from Idaho, Mr. BORAH, and myself. I said then, and I say now, that no matter how much peace is desired we cannot legislate peace. In such a time of crisis, when free men and free institutions are being systematically wiped from the face of the earth, our Government should not be hamstrung and shackled by laws of its own making, laws which were adopted during a period when wholly different conditions prevailed.

The House of Representatives has adopted a resolution calling for the elimination from the so-called Neutrality Act of the provision which prohibits the arming of American merchant vessels. The Senate is asked to concur in that resolution that ships flying the American flag and carrying American materials of defense to the enemies of the dictator Hitler may be armed for defense against attacks by Nazi pirates who lurk on or beneath waters which traditionally have been free for our intercourse with other nations.

I and those on behalf of whom I present this amendment have from the very beginning supported every national-defense measure and every national-defense appropriation. We have supported without exception every measure by which the material assistance of American industry has been made available to the defenders of freedom. Our steadfast

opposition to many of the domestic policies of the present administration is not unknown to the Members of this body or to the American people, but we have long since recognized that this country is passing through one of its most troubled periods, a period which requires the full devotion of every American to our system of government and our way of living.

In offering this amendment to House Joint Resolution 237 I feel we are keeping faith with the patriots who founded this Nation and created our heritage of freedom and progress. I feel that we are keeping faith with the vast majority of Americans whose intent it is that this Nation shall remain forever independent and free, that this Nation shall not be called upon to exist as the sole bulwark of democratic life in a world enslaved by Nazi conquerors. The Congress of the United States is duty bound here and now to subscribe to a truth which is altogether self-evident to most Americans. That truth is that the so-called Neutrality Act has been and is detrimental to the best interests of the United States.

It is my judgment and the judgment of many Americans that if the so-called Neutrality Act had not been placed upon the statute books of this country in 1937 we might have avoided the present European war. I cannot make that as a definite assertion, but it might have been possible to avoid that European war. When we by almost unanimous vote of both branches of Congress, and with the American people and the administration behind us, passed the Neutrality Act we served upon Hitler a notice that the green light was on in America and that he could proceed without any great interference from us. In other words, we advised Hitler that he could proceed with his published schedule of conquest without fear that the American people would in any way attempt to obstruct his march. By the adoption of the so-called Neutrality Act we served notice upon all free men in the world that should they face attack or defeat they could expect no assistance from this free nation. The Neutrality Act was the signal for Hitler to go ahead. It is an encouragement for appeasement today for those few independent nations which have not yet felt the heels of the conqueror. The Neutrality Act was prompted by a people and adopted by a government desperately anxious to stay at peace and to avoid incidents which might mean war. The Neutrality Act, in my judgment, contributed to the cause of the war; and in spite of the act, American merchant ships have been sunk, American warships have been attacked and torpedoed, American citizens have been killed, and the act has prevented this Government and this people from giving free men the most effective aid in their stand against Hitlerism. The act is today a glaring inconsistency with a more recently established policy of our Government and our people, and today it shackles our freedom of action in the defense of our national security. The Neutrality Act is today what I said in 1937—it would be a failure.

Theodore Roosevelt once said, "Ninety-tenths of wisdom consists of being wise on time." We believe that there is yet time to render effective aid to those who

would stop Hitler in his tracks. We believe that such effective aid can be made possible by the outright repeal of the Neutrality Act and by facing the present situation and future developments with measures prompted by our experiences in recent years and months.

The repeal of the Neutrality Act would have most important repercussions in all parts of the world where American interests are so vitally at stake. German successes in Russia are tempting Japan to strike at Siberia and are seriously affecting the morale of the Allies as well as the policy of France, Turkey, and other countries. Outright repeal of the Neutrality Act, by its evidence of America's determination to protect her interests, would exert a powerful influence on Japan. It would tend directly to restrain her from spreading this war over the Pacific. It would thus be a most practical step to avert American involvement upon both oceans.

Our sincere and able Secretary of State, Cordell Hull, put it well when he said:

The blunt truth is that the world is steadily being dragged downward and backward by the mightiest movement of conquest ever attempted in all history. Armed and militant predatory forces are marching across continents and invading the seas, leaving desolation in their wake. With them rides a policy of frightfulness, pillage, murder, and calculated cruelty which fills all civilized mankind with horror and indignation. * * * If the 16 nations that already have been overrun and enslaved could break their enforced silence and speak to us, they would cry out in a single voice, "Do not delay your defense until it is too late."

The cry "Do not delay your defense until it is too late" contains the cry of the vast majority of Americans and the majority of their representatives in this Government, "Do not delay the repeal of this ill-conceived, unsuccessful, unworkable, and evaded Neutrality Act until it is too late."

We must do more than release fingers. We must release the hands. Halfway measures bring to us even greater dangers and make the future of our Nation even less secure. We who put forward this amendment believe that the Congress of the United States will be continuing to gamble with the safety and security of this Nation if outright repeal of the Neutrality Act is further delayed. The American Nation has dedicated its material resources to the proposition of assisting freemen in their defense against the forces of scientific barbarism. The whole Neutrality Act, not merely the provision against the arming of merchant vessels, is absolutely contrary to that proposition and to America's traditions of freedom and progress.

There is not one of us who, if he knew that in the shrub beside his door one waited to kill him in the darkness of the night, would not arm himself before he walked that way. There is not one of us who would not release any shackle that would prevent the defense of his person. Today, at the very threshold of this continent, prowling the sea, lurks a menace to Americans and American rights. In my judgment, action upon the Neutrality Act should come, and come quickly.

As men who love their country's freedom, as men who want their country's future to be secure, we must today be willing to discard any act which shackles us in our effort to help the forces of decency and honor prevail against Hitlerism.

In offering this amendment to House Joint Resolution 237, we speak with a frankness the American people want and expect, and we point out the road that America wants and should now take. The safety and security of the United States demand that on the question of the repeal of the so-called Neutrality Act there shall be no compromise; there shall be no middle ground. The American people do not want appeasement. The day of taking action piecemeal is over. The day has come to be frank with the American people, with the country at large, and to meet the vital issues squarely.

Mr. President, I think the American people have a very definite choice and the Congress of the United States has a definite choice. It is a choice between untying fingers or untying hands. In my judgment, only by untying hands can we intelligently and effectively eliminate threats now present and threats yet to come to America.

We have now pending before the Senate House Joint Resolution 237, on which the House has acted. It has been referred to the Foreign Relations Committee of the United States Senate. Apparently there is general agreement to go forward with the repeal of one section of that act. In my judgment, it would be much better, to face the facts, and to meet the issue squarely by repealing the entire act.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BRIDGES. Certainly.

Mr. DANAHER. Let me commend the Senator from New Hampshire for what he describes as a frank approach to the objective which he and those associated with him seek; but, while on that subject, let me ask the Senator if he contemplates asking for hearings on his proposed amendment before the Committee on Foreign Relations?

Mr. BRIDGES. Yes; I do.

Mr. DANAHER. Does the Senator not feel that such hearings should be equally frank and open as the Senator's espousal of his objective?

Mr. BRIDGES. Yes; I do.

Mr. DANAHER. Does the Senator know that the Committee on Foreign Relations only this very day voted, by a vote of 12 to 9, to preclude the possibility of any public hearings on this particular subject?

Mr. BRIDGES. I do not.

Mr. DANAHER. Let me ask the Senator whether he does not feel, with such an issue so vitally affecting the intimate and immediate concerns of the American people, that there should be frank and open hearings and all the facts put before the American people?

Mr. BRIDGES. I do. I believe the hearings should be open on the subject, and I believe in placing it squarely before the American people and not attack a

major problem that is fundamental to our interest in a piecemeal fashion.

Mr. DANAHER. Let me say to the Senator that is an American statement, and when we find an abuse of power by a majority in control of a committee absolutely considering in secret a subject matter of such concern to the American people by such a vote as was taken in that committee this morning, there is, indeed, real need for us to wonder whether we are following here the principles of freedom which we would espouse throughout the rest of the world?

Let me ask the Senator from New Hampshire another question, if he will, please. Does the Senator know with reference to this armed-ship proposal which as he says lamely and not of itself adequately goes to the heart of the issue before us, that there never was a submarine sunk by an armed merchant vessel during the last World War?

Mr. BRIDGES. I know of no armed merchantmen that sunk a submarine, but many of them were enabled by being armed to defend themselves against submarines and keep submarines at a distance.

Mr. DANAHER. Does the Senator know that we armed some 395 American merchantmen during the last World War?

Mr. BRIDGES. I do.

Mr. DANAHER. So that when the Senator knows such facts it is perfectly apparent to him, is it not, that the procedure by which the Senate is being asked to take action in the matter of the Neutrality Act, simply to repeal section 6, does not adequately or honestly phrase or frame the issue which should be presented at this time?

Mr. BRIDGES. That is right.

Mr. DANAHER. I thank the Senator.

Mr. GURNEY. Mr. President, because of my firm conviction that the Neutrality Act of 1939 is a detriment to the best interests of the United States I have joined with the senior Senator from Vermont [Mr. AUSTIN] and the senior Senator from New Hampshire [Mr. BRIDGES] in offering the amendment seeking its repeal.

It is my sincere, firm belief that we have come to the limit of compromise. We can no longer capitulate; we can no longer gamble with the present and future welfare of this Nation. We are faced with a great decision. Here and now, we must decide either to put aside the policy so far followed, of halfway measures, in an effort to half help our friends and at the same time half placate our avowed enemies, or we must definitely state that our help to the beleaguered nations shall be withheld.

For my part, I am convinced that we have but one course. This country faces disaster if Hitler wins. I am convinced we cannot live as a free nation in a Nazi world. Either we will become a permanent armed camp, or conform to Hitler's form of government. Either alternative is repugnant to true Americans.

In proposing to repeal the clause of the Neutrality Act which forbids the arming of merchant vessels, we are guilty of another halfway measure. Its purpose is ostensibly to give such American ves-

sels a better chance to survive against the submarine and dive bomber. Actually, we all know, the purpose is to better assure the delivery of much-needed munitions of war to Britain. It is obvious that Britain must have increased deliveries. It is further obvious that she cannot survive unless lend-lease materials are actually delivered in greatly increased quantities. We know that the best that can be hoped for under even nominally increased deliveries is a stalemate with Hitler. We know that anything short of complete victory is complete defeat.

Knowing these things, we are now asked to pass another halfway measure. Such action will inevitably bring disaster. It can only hold off the fateful day, and that not for long.

Mr. President, I say again we have come to the limit of compromise. We must cease compromising with those who control the hands of labor. We must cease compromising with the timid and short-sighted who cannot read the handwriting on the wall. Write the facts in letters so high that "he who runs may read." We are even now at the crossroads. One road leads to the graveyard where the free governments of many nations already lie buried. The other leads to certain survival for this country, and resurrection for those now lying crushed under the iron cross.

The neutrality law precipitated the might of Hitler at the throat of free people. I voted for it, and thought it was right. It seemed logical 2 years ago. Today it stands out as a colossal error. It stands in the way of this country putting forth its full power against the Frankenstein monster that threatens to destroy the world as we know and love it.

If it is a hindrance, if it is wrong, then it is all wrong. Let us not remove it in part. Let us tear it up root and branch, and take it out of the stream down which flows our mighty production of food and munitions to the nations to whom they are pledged. Our neutrality law and Adolf Hitler have said, "You shall not pass." As Americans we cannot violate a law that we ourselves have passed. Remove it, and we will deal with the threats of Hitler as freemen always deal with pirates and tyrants.

It is time to take full steps in the necessary defense of our country. If those steps lead in the direction of war, I say, they are still necessary. Let us repeal the Neutrality Act in its entirety, and thus announce to the world that in the preservation of our freedom and in the defense of all principles on which our Government is based we are through with halfway measures.

Mr. THOMAS of Utah. Mr. President, I ask whether the amendment of the Senator from New Hampshire [Mr. BRIDGES] is to be referred to the Foreign Relations Committee or whether it is to lie on the table.

The PRESIDING OFFICER. Without objection, the amendment will be printed and referred to the Committee on Foreign Relations.

Mr. THOMAS of Utah. Then I think that out of fairness to that committee and the action which it took today, I should at least point out that this is

the first time this joint resolution has been brought before the Senate. The action taken by the Foreign Relations Committee this morning was an action concerning a matter which was pending before that committee; not concerning matters which might be introduced in the future, not concerning matters which might come up in future debate. I say that because the remarks of the Senator from Connecticut (Mr. DANAHER) in regard to the action of the Foreign Relations Committee were patently very unfair, for the simple reason that the Foreign Relations Committee had before it but a single matter, and it acted completely and fully in regard to the matter which lay before it.

Mr. DANAHER. Mr. President, let me call to the attention of the Senator from Utah—and the RECORD will show—that my remarks bore upon the action taken by the Committee on Foreign Relations this morning with reference to the question pending before it this morning, and solely that. In that connection, let me add that I further elicited from the Senator from New Hampshire his complete acquiescence, and properly so, that so far as his amendment to the joint resolution brought up from the House today is concerned, he wants open hearings on his matter.

Mr. THOMAS of Utah. Mr. President, may I reply to that?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Utah?

Mr. DANAHER. Yes; I shall be glad to yield.

Mr. THOMAS of Utah. If the Senator will permit me, I think it is contrary to all formal and all proper parliamentary procedure for any committee to act upon that which the committee has not before it. The committee should not anticipate, should not say, "We cannot hold hearings on this particular proposition because probably some Senator will introduce another proposition."

Mr. DANAHER. Mr. President, will the Senator yield to me?

Mr. THOMAS of Utah. Just one moment, and then I shall have finished.

Mr. DANAHER. I thank the Senator.

Mr. THOMAS of Utah. The Senator from Connecticut knows that when I asked the Presiding Officer of the Senate whether this amendment was to lie on the table or whether it was to be referred to the Committee on Foreign Relations, I received the answer that it was to be referred to the Committee on Foreign Relations. I assume that the Committee on Foreign Relations will live up to its obligations as a committee of this body and will act upon this amendment in its proper time and in its proper place and that when it took action this morning it took action in regard to a matter that was before it, not in regard to a matter that might come before it at some future time.

Mr. DANAHER. Mr. President, will the Senator yield to me for a question?

Mr. THOMAS of Utah. I shall be glad to yield.

Mr. DANAHER. The matter which the Senator says was before the Committee on Foreign Relations was a joint resolution

which was introduced in the House and which called for the repeal of section 6 of the Neutrality Act, was it not?

Mr. THOMAS of Utah. Certainly.

Mr. DANAHER. And, as a matter of actual fact, that joint resolution had not even reached the Committee on Foreign Relations this morning, had it?

Mr. THOMAS of Utah. I do not know about that.

Mr. DANAHER. It was brought in here only about half an hour ago.

Mr. THOMAS of Utah. Everyone knew that the action had been taken in the House of Representatives, and a formal meeting of the Foreign Relations Committee had been called to consider the question of holding hearings upon a particular proposition which had passed the House of Representatives. I think the Senator from Connecticut will find everything in order, and that his criticism of the action of the Committee on Foreign Relations this morning was quite out of order, because we never had a chance to act upon that which he wishes us to act upon.

Mr. BARKLEY. Mr. President—

Mr. DANAHER. If the Senator from Utah will bear with me one moment more, I shall conclude. The Committee on Foreign Relations this morning did take a vote, did it not, on the matter of whether there would or would not be public hearings on the question of whether section 6 of the Neutrality Act should be repealed?

Mr. THOMAS of Utah. They took a vote on both those propositions, as everyone knows—I think it has been made perfectly public—but there was not before the Senate the amendment of the Senator from New Hampshire.

Mr. DANAHER. I know that. I have not said that it was. In fact, I did not know that the Senator from New Hampshire was going to bring in an amendment until I heard him a little while ago; but let me ask the Senator from Utah one other question, please:

In the vote that was taken, did not the Committee on Foreign Relations decide by a vote of 12 to 9 that it would hold closed hearings only with reference to whether section 6 of the Neutrality Act should be repealed?

Mr. THOMAS of Utah. That was the only proposition which was before us.

Mr. DANAHER. Did the committee so decide?

Mr. THOMAS of Utah. It decided to hold executive hearings.

Mr. DANAHER. Executive hearings—not closed hearings. I see. I thank the Senator.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I shall be glad to yield to the Senator from Texas.

Mr. DANAHER. No; I have the floor. I will yield to the Senator from Texas.

Mr. CONNALLY. I do not want to take the Senator off the floor. I thank the Senator from Connecticut. I prefer to speak in my own time.

Mr. DANAHER. Very well.

I want the RECORD to show that when the Senator from Utah said, as he did, that my remarks were unfair, by the questions I have propounded and the answers elicited, it is made perfectly ap-

parent that the only thing that I did criticize—and the RECORD will show it—was that the Committee on Foreign Relations this morning by a vote of 12 to 9 decided to hold not closed hearings, which was the expression I used, but executive hearings, which was the expression the Senator from Utah used, only with reference to whether section 6 of the Neutrality Act should be repealed.

Mr. President, disregarding the obvious—that the American people are not being given the facts—there will not become apparent to the American people the circumstances under which the action of the committee ultimately will be taken—there is no showing as to whether or not there is adequate British and neutral shipping to accomplish all the ends which are in view to be had as a result of the repeal of section 6 of the Neutrality Act, if it shall be repealed; no showing as to the efficacy of the assumed action, assuming again that it may be taken. We all know that up to the time that Woodrow Wilson asked for permission to arm merchantmen in the last war, only two unarmed American vessels had been sunk in nearly 3 years; but we armed 395 merchantmen thereafter, and 35 were sunk, and sunk without warning, time and again; and not once did an armed merchantman ever sink a submarine. Naturally questions arise, therefore, I am protesting against the elusiveness; as the Senator from New Hampshire put it, the "half-hearted" way in which the situation is being approached, once more with chicane, once more with machination, once more denying to the American people what they ought to know to make up their minds, namely, What are the consequences of the actions that are being taken; and they are going to be taken not in closed session, as I used the expression; they are going to be taken in executive session. The result is the same. The hearings are closed.

Mr. CONNALLY. Mr. President—

Mr. DANAHER. I now yield the floor to the Senator.

Mr. CONNALLY. Mr. President, I think it is very unfortunate that the Committee on Foreign Relations does not have the advice and counsel of the Senator from Connecticut, but we have some rather able members of the Republican Party in that committee. Most of them were there this morning. We have the able and distinguished and aggressive Senator from Michigan (Mr. VANDENBERG); we have the shrewd and industrious and gracious Senator from Wisconsin (Mr. LA FOLLETTE); we have the great old gladiator, the Senator from California (Mr. JOHNSON); the patriotism of none of whom I have ever heard impugned or attacked. We have the Senator from Minnesota (Mr. SHIPSTEAD). We have other able, patriotic, and faithful members of the minority party.

Mr. DANAHER. Mr. President, will the Senator yield to me?

Mr. CONNALLY. I yield.

Mr. DANAHER. Were the Senators whom the Senator from Texas has just named among the 12 who voted for closed hearings on the pending joint resolution?

Mr. CONNALLY. The Senator knows.

Mr. DANAHER. No; I am asking the Senator.

Mr. CONNALLY. Does not the Senator know? Why does he ask me?

Mr. DANAHER. Because I want the Senator to tell the country.

Mr. CONNALLY. The Senator from Connecticut will tell the country. The Senator tells the country every day when he gets the chance.

Mr. DANAHER. I am not on the Committee on Foreign Relations, and I do not know how they voted, but I do know that in view of the intelligence the Senator has ascribed to them, they were not among the majority. [Laughter.]

Mr. CONNALLY. I am not trying to conceal anything from the Senator from Connecticut. As a matter of fact, the Senators whom he mentioned did not vote for open hearings, but they will be there to protect the interests of the people of the United States.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. VANDENBERG. I think the Senator misspoke himself just now. He said the Senators to whom the Senator from Connecticut just referred did not vote for open hearings. The Senator meant to say they did vote for open hearings.

Mr. CONNALLY. I thank the Senator. I meant they voted against closed hearings.

Mr. VANDENBERG. That is correct.

Mr. CONNALLY. That is correct. That just illustrates the point I was making, that with sharp minds like that of the Senator from Michigan present nothing is going to escape attention of the Senator and of other Senators.

We are not going to have open hearings; no. Several Senators have already announced that they expect to reveal everything they desire to reveal as soon as the doors are opened.

No; we are not going to have open hearings, because there are those people in this country who would like to embarrass Cabinet officers by questions which they do not want to and cannot answer publicly in the press; not that they have anything to hide, but when international situations are critical, when they are delicate, when the welfare and the safety of the American people are in the balance—that is no time to harass and annoy and cross-examine and heckle members of the Cabinet who do not desire to talk publicly.

What would be the result if there were open hearings? A witness might reply to some question, "I cannot answer that," or he might not know anything about it; but in a closed hearing we can get very frank statements; we can get more complete information for the people they should influence, that is, the Members of the United States Senate, instead of doing what a lot of folks want, use the Senate committees as sounding boards from which to parade their political opinions, their private prejudices, and their exalted ego. It is not because we want to keep anything from the American people. We want to get information as to the facts.

Mr. President, I know, and everyone knows, that there are a lot of witnesses

all around who would be present if there were open hearings. It does not make any difference what the subject, is whether it is taxation or neutrality, there are a lot of old "crackpots" who hang around Washington who would be there taking up the time. I can name many of them, and we do not propose to spend a lot of time hearing that kind of witnesses. If anyone has any information, we shall be glad to hear him. If the Senator from Connecticut has any information, we shall be glad to hear him.

My own theory about these closed hearings is that we shall hold the closed hearings in a businesslike way, and will get through with them, and when they are all over, so far as I am concerned, I shall be willing to remove the ban of secrecy and publish every line that has been heard, except those portions of the testimony which Cabinet officers say they do not want divulged to the public.

Is there anything wrong with that? Not at all. It may be said by some, "That will not help get our old grouch before the public. We want to growl about something. We want to stir up a row. We want to cuss Woodrow Wilson about what he did 23 or 24 years ago in regard to the ship-arming bill."

We did not have to have any hearings at all. The House had hearings. We had the votes to bring the bill in without a minute's hearing, if we had desired, but we acceded to the wishes of the minority, and accorded 4 days of hearings, when the House confined its hearings to only 2 days.

If anyone desires to be heard, let him come and be heard. The proponents of the joint resolution are going to give more than half the time to the opponents. Do we look for any new ideas? Everyone knows the arguments. They have been used before. The Senator from Montana [Mr. WHEELER], the Senator from North Dakota [Mr. NYE], Mr. Lindbergh—these gentlemen have been parading these arguments, and these supposed reasons, all over the United States for months. There will be nothing new. Those who appear will not contribute anything new. It will simply be a phonographic reproduction of what has been told before, twicetold tales.

Mr. President, there will be no new argument, no new fact developed, except perhaps in the way of some facts we shall get from the Navy Department and the State Department with reference to incidents and transactions which have happened within the past few days. The press has already referred to several of the incidents. They will all be in the papers. The sinkings of ships, campaigns in the east, in Asia, in Europe—there will be nothing of that kind referred to in the hearings, but we will probably have some revelations of delicate matters by the Secretary of the Navy and the Secretary of State.

I congratulate the Senate on having such an able representation of the minority party on the Committee on Foreign Relations. They are able men, they are patriotic men, they are diligent men, and it is a great pleasure and a great joy for the Senator from Texas to serve with them, as he has served over a period

of years. I am willing, and I think the country is willing, to trust the interests of the United States in the hands of these members of the Republican and the Progressive parties who are serving on the Committee on Foreign Relations.

Mr. VANDENBERG. Mr. President, knowing the anxiety of the able Senator from Texas always to be conservative, judicious, restrained, and tolerant in his observations, I am sure he will not object if I indicate that he has left what I am sure he himself would admit is not a fair implication as to the reasons why some of us thought public hearings should be held upon this all-important matter, so that the American people, so far as possible, might at least have some casual information about the life-and-death decision which is to be made for them by us.

Mr. President, there was no purpose on the part of any minority member of the Committee on Foreign Relations who voted for open hearings to embarrass any Cabinet Minister. On the contrary, I myself asserted that, even though there were open hearings, I thought it would be impossible to cross-examine Cabinet officers in public at all. There was no purpose on our part to mobilize the "crackpots" or give them a new forum. There was no purpose to invade any of the proprieties. There was no purpose to invade the essential defense of American institutions, which we recognize to be wrapped up in the fact that there are things which today cannot be publicly discussed. But, Mr. President, with all those exceptions out of the way, there still remains a vast mass of information which ought to be made available not only to the Congress but to the country. There remains a vast opportunity to inform the American people regarding the things that are to be done in their behalf.

So far as I am concerned, I continue to believe that the Foreign Relations Committee would have made a far wiser decision, reasserting as I do that we of the minority had no purpose to embarrass anybody by seeking information which could not be made public—I think the committee would have been infinitely wiser if it had been willing at least, to that limited extent, to take the American people into our confidence regarding the decision that is to be made for them.

Mr. LEE obtained the floor.

Mr. DANAHER. Mr. President, will the Senator yield to me for a minute?

Mr. LEE. I decline to yield at the present time.

Mr. DANAHER. Very well.

Mr. LEE. Unless the Senator wants to ask a question?

Mr. DANAHER. No; I do not want to interrogate the Senator from Oklahoma. I thank the Senator.

Mr. LEE. Mr. President, we saw Hitler drive the democracies across the Low Countries because the democracies did not have enough heavy armament. We then saw Hitler turn his machine toward the Balkans and drive Yugoslavia and Greece step by step backward, because the democracies did not have enough heavy armament. We saw Hitler drive the democracies from the island of Crete

because the democracies never had equality in heavy armament.

Today a battle which may decide the slavery or liberty of the world is being fought in Russia. Inch by inch and foot by foot the Russian Army is being forced backward because they do not have equality in heavy armament. If the United States were able today to deliver enough heavy armament in Russia to make that contest an equal contest, the Russian Army would stop the German juggernaut in its tracks. If the Russians only had equality in heavy armament, which we have promised to them, which we promised to the Allies after Dunkerque, which we promised to Yugoslavia and Greece, they could stop Hitler. They want weapons in order to stop Hitler, and we give them words.

Today we are asked to hold a hearing in the committee. In the first place there ought not even to be a hearing. There will not be one new argument presented, there will be no straw go through the threshing machine that has not been threshed over and over. The matter was debated when we revised the Neutrality Act and repealed the embargo provision. The question today is the question of foreign policy. It was threshed out then. It was debated again when we passed the first draft law. It was debated again when we passed the lease-lend bill. It was debated again when we passed the Second Draft Act. And now, because of this proposal to revise the Neutrality Act further, it is asked of us that we go into the matter all over again. On what question? On a new question? Certainly not. The same old question that has been debated each step of our defense program. A question which the American people have already passed upon, the question of foreign policy, is the only question that is before the committee and later will be before the Senate. There will not be a new argument presented. There is no reason why we should hold any hearings at all, except we make a concession to those who say the American people should be heard. If the duly-elected Members of the House and the duly-elected Members of the Senate, who must return to the people periodically, do not represent the people of this country, then they cannot be represented.

Is this a new issue? Certainly not. It is the same issue that was passed upon in the last Presidential election, and has the stamp of approval of more people than ever voted on any issue in the history of the world. And the answer was conclusive. It was a definite answer. The candidates on both major tickets both sponsored the present foreign policy. It was written into the platforms of both political parties. The only party that took the stand now represented by those who are trying further to delay our aid to the allies was represented by Mr. Norman Thomas, who, as Wendell Willkie well said once, received so small a number of votes that they had never gotten into public print so far as he had seen. Norman Thomas advocated the very policy being advocated by those who are now hollering because we do not throw open this matter to an open hearing. A week of delay while the world

falls. Are we to debate a new question? No; we are to debate the same question over again which the American people have passed on; which Congress, the duly elected representatives of the people, in passing the lease-lend, passed upon. Now, because we simply want in a systematic manner to hold a hearing which is unnecessary, but to hold it in executive session, so there will be some degree of protection, those who raise the question act as if we were trying to keep something from the American people. We are trying to keep a little bit for the American people. That is the reason for executive sessions. Executive sessions are not unusual. There are representatives on that committee of every party and every section of the country. Yet it is implied that we are trying to cover up something; that the American people will not be represented, when, as a matter of fact, they are well represented there.

President Roosevelt, in order to try to carry out the policy already approved by the people, of aid to the allies, asked Congress to revise the Neutrality Act so we could arm merchant vessels, and in the same speech made it quite clear not only to Congress but to the whole world that he not only needed that, but he needed another amendment which would give authority to send our ships wherever we wanted to send them—to remove a self-imposed limitation which we put upon ourselves because of the emergency.

Why should we limit ourselves by a self-imposed neutrality and limitations, when it is evident, not once or twice or three times, but as many times as there are countries overrun, that neutrality will not save any country from the wrath and greed and ambition of Adolf Hitler?

There are men over there fighting to extinguish a fire which is spreading all over the world, and yet we hesitate to send them fire extinguishers in our ships.

This administration started out with the hope of escaping war by a policy of short-of-war aid to those who were fighting Hitler over there. We had hopes that we might escape war if we furnished the materials on the implied agreement that other countries would furnish the men to use those materials. The success of that program, the success of that policy, depended upon the vigor with which it was administered, with which it was carried out, and from the very first the isolationists have done everything they can to slow down that program, to sabotage the program which offered the only chance in the world of escaping war.

Mr. President, the isolationists are free with their charges and in calling other people warmongers, and yet they themselves are fast destroying America's one chance of escaping war by destroying our short-of-war program, which offered the only way of escaping actual participation in war.

How are they destroying it? By a slow-down process, by a slow-down process. Now they want us to give a week of hearing, and one Senator even advocated until the hearing ran its course. The hearings are proposed not to go over a new subject. The hearings will not change a vote. Yet they want us to hold

this hearing. Why? So it will give them another chance to rip this country wide open again on a question it has already decided.

But no, we must not close them down. That would be abridging free speech. The American people are temperate and tolerant. We would rather have a right abused than to have it refused. We would rather have the right of free speech abused than to have it refused.

I say that the Senator from Montana [Mr. WHEELER] and Colonel Lindbergh and the others of that political persuasion have the legal right of free speech, but with every right comes an obligation. They have been mighty quick to demand the right of free speech but mighty slow to admit their obligation to the flag of this country, and have neglected their obligation of loyalty to their country while they are demanding the right of free speech. The world falling—and we are to hold a week inquest to see if it is falling, and yet we are criticized because we said, "Yes; we will hold a hearing, against the better judgment of some of us, but we want to hold it systematically; we will hold it in executive session."

If Russia had the materials, there is no doubt in my mind that the Russian Army would stop Hitler's Nazi wolf pack. But if the Nazis are not stopped, if they drive the Russians back to the mountains, what, then, will be the result? Hitler will stop to lick his wounds; there will be quiet for a while. The isolationists in this country will take advantage of the lull and will say, "See. We are right. It is all over." They will start out again, preaching—as they have never let up, for that matter—their false philosophy of appeasement that has led to their doom all the democracies that have followed it. Then, in the meantime, Hitler's mechanics will be busy; in every one of the machine plants and factories that have been captured by the Nazis he will place technicians. The light from the furnaces will light up every black night of the long winter. There will be no stop there; there will be no shut-down there. Those factories will be thrown into high gear, with the German efficiency. The Nazi tanks and planes and heavy artillery will be repaired. They will be repaired for the spring drive. We have seen Hitler and his Nazi hordes make their gains, then stop and consolidate those gains, and then reach out for more. We saw them drive through the Balkans and over to Greece. If Hitler can drive the Russian Army back to the mountains, he then will have in the grasp of his hand all of Europe and the Mediterranean Basin. With the coming of spring we shall see his Nazi hordes cross Spain and spill over into Africa. We shall see them seize Dakar, on the Atlantic coast of Africa, where they will establish submarine bases and bases for Nazi bombing planes, and then the foul birds will nest and multiply there. Then we shall see the Nazi hand reach out for the narrow throat of the Atlantic, between Africa and South America, where Hitler will be in a position to harass the American Fleet if we should try to bring it around to the east coast of South America,

through the South Atlantic Ocean. With one well-directed bomb he could disable the Panama Canal so that we could not bring our fleet through there. Then Hitler will have surrounded the Atlantic Ocean. By means of land forces, he will have won the battle of the Atlantic, because by means of dive bombers operating from those African ports and from the western coast of Africa he can control the narrow throat of the Atlantic, and our fleet will be bottled up in the Pacific.

Yet it is argued that we must stop now and must hold an open hearing that will tear our country wide open again over this same old question, in order to satisfy a certain group in this country, a group of men who have never, it seemed to me, grasped a realization of the danger that threatens not only the eastern world but the United States. They ask us to stop and to debate this matter longer. In previous debates we have tried both methods. We tried to keep quiet so our side would not take up any time and thereby delay the passage of measures. The result of that sort of plan is that the other fellows get before the people of our country the publicity and the arguments for their side, and all of that has its effect. Then if we try to answer their arguments we find ourselves helping them by delaying action on the measure. So the determination of what we should do in such a situation is a serious question.

When there came up for the committee's decision the question of whether we should hold an open hearing and inflame the people of the country all over again on a question upon which they have already passed we decided we would hold a hearing, we would give the opponents of the measure most of the time, but we would try to keep it as systematic as we could by keeping it in executive session. And we get criticized as though we are doing something that is contrary to the best interests of the American people—following a precedent that has been here as long as the Capitol has been—a precedent of executive session.

Mr. President, the arguments of the opponents have been all along, "If you do this you will get us into war." Any question to be considered fairly must be considered in the light of the alternative. What is the alternative? Do nothing. If you do nothing you are sure to invite attack. The isolationists have fought us on our defense program every step of the way. Every major measure that has resulted in the greatest amount of defense to this country has been opposed and fought on the floor of this tribunal; and I do not qualify that statement. I say the major measures. What was the first major measure that has resulted in more defense to this country than any other? It was the repeal of the embargo on arms so that our own factories could throw their production into high gear and, by supplying foreign countries, could increase their capacity to produce. That resulted in a greater step than any step we had taken up to that time and yet that was fought bitterly on the floor of the Senate.

Then what was the next? Why, we had to have an army to use the material

that we were asking the factories to produce.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. PEPPER. Did the war not begin between the time when the proposed repeal of the embargo was made by the President and the time when Congress actually passed that legislation?

Mr. LEE. I believe the Senator is correct.

The second step was to call out an army in order to have someone to use this material. And we remember the story of that. That was the second major step in our present defense program, and that was fought bitterly by the same group that has criticized us today because we do not hold an open hearing and an extended hearing.

The third step was the passage of the lease-lend bill to translate into action a policy we had already passed upon; and that was fought bitterly. I heard the Senator from Montana [Mr. WHEELER] on the floor of this rostrum tear open every old political wound he could think of. I heard him chide every Senator who had been on the purge list, in order to try to inflame his feelings. I heard him call up every difference that a Senator on this floor had had with the President or with the administration. I heard him use every appeal to the prejudices of the American people. I heard him harp on every discordant chord in America. Is that argument? That is inflammatory; that is a play to prejudice. It has no place here, when the world is falling apart; and yet I heard it done. Now, we are asked for opportunity to carry that on still further by holding open hearings.

Have they been right? If they had been right, then we should give some credence to them. First, they said there was not going to be any war. They were wrong. Then they said it was a phoney war. They were wrong again. Then they said Norway and Denmark, because of neutrality, would escape war. They were wrong again. Then they said Hitler would never get his 70-ton tanks across the Albert Canal. They were wrong again. Then they said Hitler would never take the Maginot line. They were wrong again.

Now they are asking us to believe them. They say no danger threatens us. They ridicule the idea that Hitler has designs on the United States. Hitler has never joked, so far as I can learn. He has never joked. Hitler has been as plain in his threats as to what he would do in the western world as he was with respect to what he would do in Europe. He has carried out to the letter every threat he made with respect to Europe. Why should we then say that he did not mean equally as strongly his plans with respect to Latin America and the United States? Certainly he means them.

Yet we are told that is not true—and we are told it by men who are giving lip service to national defense but whose every utterance has been to slow down our program of material aid to the Allies. They have fought it all the way.

They argue that we are not in danger because Hitler will be exhausted when

he conquers Russia and England. Hitler is one victor who has gained strength with every victory. The conquest of every new country has added strength to the German juggernaut.

They argue that Hitler will be overthrown from revolution from within, overlooking entirely the Gestapo which daily, by mass murder, is "liquidating" even every suspect who might be a strong enough man to lead a revolution.

They argue that Hitler will not have any interest in the western world. The one thing that has chagrined Mr. Hitler is that he has not acquired command of the sea. He has attained superiority in the air and on the land but he has not secured superiority on the sea. He has gained superiority on the water wherever a sea fight has been sufficiently close to the land to enable land-based dive bombers to take part in the engagement. Therefore Mr. Hitler decided to march around the ocean and dominate the sea by means of planes and submarines.

Furthermore, Mr. Hitler wants to secure control of a sufficient number of navies to dominate the ocean. If Russia goes down under the present assault and Hitler turns then on England, and if England under present conditions does not have a large enough army to start a western front or an expeditionary force, then, could England, without the aid of the United States, hope to hold out indefinitely against Hitler, who has already conquered the Continent of Europe? Could England hope to stand against the continued assault of Adolf Hitler with plenty of food and plenty of fuel, with manpower greater than has ever been under the control of any one man in the history of the world, with an inexhaustible supply of machinery, and with an inexhaustible supply of raw products?

But they argue there is no danger. Go back to sleep, America; no danger threatens. Yet in our own defensive waters our own ships are torpedoed; today our own seamen are missing and no doubt are dead because of the unsatisfied ambition of this man who is reaching out to control the sea. Yet they can picture Hitler, the master mind which has planned and executed the most diabolical scheme in all history—Hitler, master of land, sea, and air, after he has destroyed Russia and England, sitting down calmly and waiting for the United States to arm. What a foolish assumption! If Hitler is able to strike down Russia and England, he would then have shipbuilding capacity several times greater than our own, he would have an actual flotilla of ships greater than our own, he would join hands with Japan at the other end of the axis, and Japan would see to it that a major portion of the United States Navy must be kept in the Pacific. Yet with a picture such as that, the isolationists contend that we would not be in any danger.

Do you think, Mr. President, that we could any longer defend South America in a situation such as that? Do you think we could continue to maintain the Monroe Doctrine? How could we protect South America? We would find ourselves in a last-ditch fight in the Caribbean; we would find ourselves

imprisoned on a continent, and even if we were able to repel an actual physical assault and an attempted invasion of the United States, it would be only a short time, with a world control such as Hitler's, that his economic war upon the United States would cause his ideologies to come past our guard and invade the United States. Then we would be facing a situation which was described by Walter Dare, the Reich minister of agriculture, who said about a year ago at the instance of Mr. Hitler:

We are going to win this war, and here are our aims: We propose to set up a German aristocracy and assign to it slaves composed of non-German nationals. Please do not think I use the word "slavery" rhetorically. We have in mind an actual, physical, medieval slavery, which is necessary to our purposes to produce a superior product and sell it at prices that the United States cannot meet.

Then he said:

President Roosevelt will, on his knees, come to the Fuehrer and ask him to buy products, not manufactured, but raw products, at prices which we shall dictate.

Yet there are those who say that the United States is not in danger; the same ones who have said that convict themselves of extravagance, for they have voted for billions of dollars for national defense; yet by their very opposition to the major defense measures they have done everything possible to destroy our one hope of escaping war in our "short-of-war" program, by slowing it down.

The Senator from Montana [Mr. WHEELER] and Colonel Lindbergh came to Oklahoma. Some persons there who controlled one of the public buildings decided they did not want such a speech delivered there. So they denied the use of that public building. Oklahoma is only a cross section of the United States. Oklahomans who do not even agree with but violently oppose the Lindbergh and Wheeler philosophy thought they ought to be heard. So they got another place and they were heard.

What was the result of that meeting? What is the result of every one of those meetings, if it is not to forge weapons for Hitler? What did Hitler say? He summed up his philosophy of modern military science when he said "Confused thinking, contradiction of feeling, indecisiveness, panic, these are our weapons."

If these meetings, at many of which the authorities have doubled the police guard in order to keep down riots, are not forging weapons for Hitler, then, what are they doing? What is the purpose of such meetings? Why are such meetings held? Let them answer. Why are they holding those meetings on a question on which the people have already passed? What good do they hope to gain? Are they helping our defense program? They are slowing it down. Are they helping Russia? Certainly not. Are they helping England? They are hurting England. Then who are they helping? There is but one answer. Hitler! This campaign of opposition is forging weapons for Hitler.

Mr. DANAHER obtained the floor.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Peace
Aiken	Gillette	Pepper
Andrews	Glass	Radcliffe
Bailey	Green	Rosier
Ball	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bilbo	Herring	Smathers
Brewster	Hill	Spencer
Bridges	Johnson, Calif.	Stewart
Brooks	Kilgore	Taft
Brown	La Follette	Thomas, Idaho
Bunker	Langer	Thomas, Okla.
Burton	Lee	Thomas, Utah
Butler	McFarland	Truman
Capper	McKellar	Tunnell
Caraway	McNary	Vandenberg
Chavez	Maloney	Van Nuys
Clark, Idaho	Mead	Wallgren
Clark, Mo.	Murdock	Walsh
Connally	Murray	Wheeler
Danaher	Norris	White
Davis	Nye	Wiley
Doxey	O'Daniel	
Ellender	O'Mahoney	

The PRESIDING OFFICER. Seventy-three Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, it had been my hope that we might conclude the unfinished business today; but the hour is getting late, and it now appears unlikely that we shall be able to do so. Therefore, I ask unanimous consent that at an hour not later than 2 o'clock p. m. tomorrow the Senate proceed to vote without further discussion on the pending unfinished business.

Mr. BROWN. Mr. President, I realize that it is not possible to make an arrangement by which a Senator may obtain the floor; but I should like an understanding, so far as it is possible to make it, that I shall be recognized tomorrow, because of my great interest in the subject matter of the pending bill.

Mr. BARKLEY. That is entirely agreeable to me. I suggest to the Senator that just before we conclude the session today he obtain recognition, with the understanding that he will conclude his remarks tomorrow.

Mr. BROWN. I thank the Senator for his suggestion.

Mr. BARKLEY. In that connection, Mr. President, in order to comply with the rules, I ask unanimous consent that the requirement for a roll call before an agreement is made for a final vote be dispensed with.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

REVISION OF NEUTRALITY ACT

Mr. DANAHER. Mr. President, a while since there was under discussion the matter of the action of the Committee on Foreign Relations taken this morning in closing, against the public, the hearings on the joint resolution which would repeal section 6 of the Neutrality Act. Both by questions directed to the Senator from New Hampshire [Mr. BRIDGES], who had the floor, with reference to his own proposed amendment, and those directed to

the Senator from Utah [Mr. THOMAS], who rose to speak on the subject, I elicited what the facts were with reference to the vote, and what its full import might be. It became perfectly apparent that the American people were to be denied access to the facts which bear most intimately on the question of how far they are to become involved in the war.

There are those of us who temperately and moderately and sanely would approach the question, in the thought that the public interest should be canvassed, that the national interests should be determined, and that the course to which our agents and our people are to be committed should be the wisest possible one.

Mr. President, the Senator from Texas [Mr. CONNALLY], who is chairman of the Committee on Foreign Relations, rose, to take the floor, as he put it, in his own right, not, as it promptly developed, for the purpose of discussing the merits of the situation before the Senate but for the purpose of venting a caustic, jeering, mocking type of approach, which has been all too common emanating from him in this body. The last time he undertook such tactics, with reference to the Senator from Ohio, who had made a splendid speech, I then criticized, I hope in a dispassionate way, the gyrations, the acting, of the Senator from Texas, his interest toward the gallery, eliciting from them some present, temporary applause. But he leveled against the Senator from Ohio such terms as "bushwhacker," "sniping," and the like.

Mr. President, I took the pains to examine the CONGRESSIONAL RECORD on the following day, and I suppose the Senator from Texas himself might have been surprised, as I was, to find the speech that was in the RECORD the next day. I am certain it was not the speech he made on the Senate floor. I suppose that there are those who claim the right to revise their speeches, but I do not suppose that the right to revise includes writing or causing to be written a new speech, to be inserted in the RECORD in lieu of what was said on the Senate floor. I ask any man in the Senate to compare the speech of the Senator from Texas as it appeared in the RECORD the following day with the New York Times and the Washington press accounts of his remarks.

Mr. President, I mention this in opening my observations because we have again this afternoon been treated to the same type of approach. The Senator has indulged in all the same sort of mockery and ridicule toward the Senator from Connecticut, who properly rises, I think, to ask in behalf of the people of his State and of the country just where we are going and where we are heading. I did not rise to a point of order, though I could have done so. The rules justify it. There is no question in the world that the Senator from Texas himself must know that that kind of cheap, police-court-lawyer tactics may have a certain appeal in some places, but this is not such a place.

Mr. President, I do not intend to talk further along that line, other than to remark that in the past there have been

able men presiding over the Committee on Foreign Relations; in the past there have been great men occupying that chair. But if the President of the United States desires to enlist unity and concert of action on the part of the people of the United States and the United States Senate, and if the White House finds that people here are treated to that sort of exhibition of tactics and of attitude, if you choose, by men of the ability of the Senator from Texas, small wonder it is that the Congress of the United States is daily being circumvented by the President in his effort to avoid submitting the issue both to the Congress and to the people.

Turning to a really fine speech delivered by the late able Senator from Nevada, then chairman of the Committee on Foreign Relations, Mr. Pittman, let me point out that he said in this body:

On the 13th day of March 1917, President Wilson proclaimed armed neutrality and ordered the arming of our merchant vessels. This was the gravest mistake that our Government made. It was even a foolish act. A cannon on a merchant ship is no defense against a submerged submarine and only invited attack, as was subsequently proven. From the beginning of the war down to the date of the proclamation for the arming of our ships only 7 lives were taken of American citizens by reason of the sinking by submarines of American merchantmen. Between that date and our entry into the war on April 6, 1917, from such cause we lost the lives of 63 citizens. President Wilson, in his war message, recognized the failure of armed neutrality.

Senator Pittman proceeded:

I can conceive of no argument against the adoption of the section of the resolution prohibiting the arming of our merchant ships. While there is grave danger of another world war, and while I expect to see submarines used as commerce destroyers in the next war in the manner they were used in the last, I do not believe that any belligerent country, when they know that our merchant ships are not armed, and that they are so identified otherwise than by the flag that their nationality will be certain, and that they will stop upon demand and submit peaceably to visit and search, will sink our merchant vessels without notice, and without complying with the humane customs of visit, search, and seizure universally accepted by nations.

Mr. President, on the 21st of September 1939 the President of the United States called Congress into a joint session. He told us that he was speaking to us out of his years of experience as a worker in the field of international peace. He said:

I give to you my deep and unalterable conviction that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today. I say this because with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

He outlined to us a program. He said:

I believe that American vessels should, so far as possible, be restricted from entering danger zones.

He told us that we must prevent American citizens from traveling on belligerent vessels or in danger areas. He told us that we must impose the cash-and-carry

system and to transfer the title in this country to goods to be sent overseas. He told us we must prevent war credits to belligerents. And he concluded, insofar as is pertinent to this discussion:

To those who say that this program would involve a step toward war on our part, I reply that it offers far greater safeguards than we now possess or have ever possessed to protect American lives and property from danger. It is a positive program for giving safety. This means less likelihood of incidents and controversies which tend to draw us into conflict, as they did in the last World War. There lies the road to peace.

"There lies the road to peace" said our President. But now, if we ask that we have hearings to ascertain under what circumstances and as a result of what conditions we should abjure that path to safety which the President himself outlined to us, we are ridiculed; we have reached the point, when we come in in the name of the people of the United States and say, "Why should we take this road, why should we abandon the advice of our President, that great worker in the field of international peace, why should we now head toward war, pell-mell, and rushing?" When we ask that question we are mocked and scorned.

But take warning, Mr. President, of the situation which confronts us when we find a state of mind indicating lack of a calm, cool appreciation of the situation facing us. It is an astonishing revelation, and I think it is probably just as well that the matter should come to a head in this way at this time. It may clear the air, lead to a fuller appreciation of the danger in which our country is, when we find our leaders of thought and action taking such an attitude and resorting to such tactics in the United States Senate, the more so as it comes on top of the fact that only this morning the same committee of which the Senator from Texas is chairman voted not to hold public hearings on the questions before the American people.

The President of the United States sent to us a special message on October 9. He told us in that special message that we should repeal section 6 of the Neutrality Act. He now says we should arm our merchantmen.

If we are to arm our merchantmen, would not anyone say it would be well to ascertain whether we should arm our merchantmen in the interest of delivering goods to Britain? If that is a fair inquiry, is it not one of the things which should be canvassed before the decision is made to send American ships into danger zones? Should we not ascertain whether or not there is other shipping, particularly British shipping, to take the risk, if risk there be; and if it should develop that there is such shipping available, why should we take the course of submitting American ships to the risks incident to such business if there be British shipping to go through the danger zones?

Those are fair questions. If I can develop now that one British line operating out of New York City shipped more goods and made more sailings to Australia in 1 month in 1941 alone than it ever did at the peak of its peacetime

business, I say that is a touchstone by which we could decide whether or not we should take our ships and put them on the line to Australia, thus releasing the British ships.

Let us service those peaceful lines, if you like. We never intended that we should go to into this war. Our President told us he would not take us to war. He told us this path was the path of peace. And, Mr. President, the American people relied upon that statement. But when he sent this special message up here a week ago he also said this.

I earnestly trust that the Congress will carry out the true intent—

"The true intent" he says—

of the Lend-Lease Act by making it possible for the United States to help to deliver the articles to those who are in a position effectively to use them. In other words, I ask for congressional action to implement congressional policy. Let us be consistent.

Now, Mr. President, not only was there no such "true intent" that the American people should deliver those goods, but if there is any way, any medium by which language can be used to belie any such intent I ask Senators to examine the Lend-Lease Act. When that matter was debated here on this floor the Senator from Maine raised the question of whether or not the word "transfer" meant "delivery," and lest there be any question about it, after a very considerable debate, the then chairman of the Committee on Foreign Relations, the Senator from Georgia [Mr. GEORGE], an able chairman, let me add, Mr. President, arose, and he amended the word "transfer" by adding the words "title to," and the section now reads:

Lease, lend, transfer title to, exchange, give away—

And so forth. Mr. President, we deliberately inserted that language in there to deny any claim that we were to deliver the goods, and quite the contrary, the public was told and the Congress was told that Britain was to come here and get the goods, take them away in her own ships, and the only difference between that situation and the cash-and-carry rule that prevailed up to that time, was that the American people were to pay for the goods. That was, in essence, what was to be done. But, Mr. President, lest there be any question further, we even wrote section 3 (d) into that act, in which we said that nothing in this act shall authorize or be construed to authorize the use of convoys in the course of delivering these goods. That provision is in the law.

Mr. President, I ask, in the face of that sort of legislative pronouncement, and in the face of the debate on this floor, where can there be any claim that the Congress now must be consistent to carry out "the true intent," if I may borrow a term, of the Lend-Lease Act? And yet if we ask for hearings, if we ask for a chance to let the American people know what this situation is, we are going to be ridiculed, Mr. President. That is what will happen to us in the present situation.

Mr. President, the American people had a right to believe their President. I do not know how many ways it takes him to

say a given thing, but let me point out a couple of them that are right at hand. He said:

This neutrality law is a good law.

I am quoting.

This is the kind of law that will keep us out of other people's wars.

The President continued:

I have seen war. I hate war. The effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of President and Secretary of State. Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster.

He concluded:

We will not participate in foreign wars, and will not send our Army, naval, or air forces to fight in foreign lands except in case of attack. Your President is following the road to peace. We are arming ourselves not for any conquest or intervention in foreign disputes.

Again on October 30 of 1940 he said:

And while I am talking to you fathers and mothers I give you one more assurance. I have said this before, but I shall say it again and again and again—your boys are not going to be sent into any foreign wars.

He said further:

There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

The Neutrality Act and other steps were measures to keep us at peace. And through all the years since 1935 there has been no entanglement and there will be no entanglement.

Convoys mean shooting and shooting means war.

Now, Mr. President, in the light of the declaration of the President of the United States, his solemn assurances to the American people, his recommendations to the Congress, we now are having urged upon us a contrary course of action. It becomes perfectly apparent that if we are a neutral nation we have no right to put a gun on a merchant ship and have it shoot at a belligerent. If it does, the shooting at a belligerent is an act of war. If we are a belligerent, Mr. President, and we put a gun on a merchant ship, then we are subject to being sunk without trace any time a submarine submerged or otherwise, as the submarine may be, attacks; or the same applies to attacks from the air for that matter. You cannot have it both ways. You cannot have it other than our shooting becomes an act of war, and the President of the United States and the Committee on Foreign Relations and the United States Senate know it. But do the American people know? Do they know that they are being taken now down the road to war and away from the road to peace? No, Mr. President. And if they do know what the consequences are, if they can envision what this will mean to us, and if the hearings before the Committee on Foreign Relations will serve in some small way to acquaint them with this situation, then, Mr. President, those hearings not

only are indicated, they are absolutely essential.

In the light of the situation, Mr. President, I submit that there has been a grievous abuse of power by the majority in the Committee on Foreign Relations overriding the minority. As the Senator from Texas [Mr. CONNALLY] says, "We have the votes," and, of course, that is the attitude taken. What has become of the greatest deliberative body of the United States? The majority says, "We have the votes, and because we have the votes we are going to run the show. We are going to roll over the inarticulate minority. We are going to keep them from having any part of the public know what is going on."

That is an old story. It has all been told. That is the sort of thing we have been getting. And, Mr. President, do not forget, if you come in here and make any protest about it, you are going to be ridiculed.

Stay in the chair, Mr. President. It is a safe place.

[Laughter and manifestations of applause in the galleries.]

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

Mr. BROWN obtained the floor.

Mr. BARKLEY. Mr. President, I do not understand that it is desired to have a vote on the committee amendment today.

Mr. BROWN. No; I merely wish to submit a conference report.

Mr. BARKLEY. My understanding is that the vote on the entire matter is to go over until tomorrow.

Mr. BROWN. Yes.

MARGARET M. CUTTS—CONFERENCE REPORT

Mr. BROWN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4270) for the relief of Margaret M. Cutts, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the figures "\$2,500" insert "\$7,074.54"; and the Senate agree to the same.

PRENTISS M. BROWN,
JAMES H. HUGHES,
ARTHUR CAPPER,

Managers on the part of the Senate.

DAN R. McGEHEE,
ROBERT RAMSPECK,

Managers on the part of the House.

The report was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business. We will go back into legislative session at the conclusion of the executive session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate

a message from the President of the United States submitting several nominations in the Marine Corps, which was referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Herschel V. Johnson, of North Carolina, a Foreign Service officer of class 1, now serving as Minister Counselor at London, to be Envoy Extraordinary and Minister Plenipotentiary to Sweden.

The following-named persons, now Foreign Service officers of class 3 and secretaries in the Diplomatic Service, to be also consuls general:

Lester L. Schnare, of Georgia; and
Austin C. Brady, of New Mexico.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE NAVY

The legislative clerk read the nomination of Capt. Ezra G. Allen to be Director of the Budget and Reports with the rank of rear admiral.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST GUARD OF THE UNITED STATES

The legislative clerk read the nomination of Capt. Lloyd T. Chalker to be assistant commandant with the rank of rear admiral, for a period of 4 years, to rank as such from January 1, 1942.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The legislative clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. BARKLEY. I ask that the nominations in the Coast and Geodetic Survey be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. Mr. President, I ask that the nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE ARMY

The legislative clerk read the nomination of Brig. Gen. Dawson Olmstead to be Chief Signal Officer of the Army, with the rank of major general, for a term of 4 years from date of acceptance, with rank from October 1, 1941.

Mr. BRIDGES. Mr. President, the nomination of Brig. Gen. Dawson Olmstead to be Chief Signal Officer of the Army was approved by the initialing of the nomination by, I think, a majority

of the members of the Military Affairs Committee. Since that was done, various protests have been received in relation to General Olmstead. Some persons desire to be heard on the nomination. Inasmuch as the chairman of the Military Affairs Committee [Mr. REYNOLDS] and the ranking Republican member of the committee, the Senator from Vermont [Mr. AUSTIN] are away, I ask that consideration of this nomination go over, because it may be necessary to recommit the matter to the Committee on Military Affairs. I ask that the nomination go over for the time being.

The PRESIDING OFFICER. Is there objection to postponement of consideration of the nomination? The Chair hears none, and the request is granted.

LEGISLATIVE SESSION

Mr. BARKLEY. Mr. President, I ask that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEATH OF REPRESENTATIVE LAWRENCE J. CONNERY

The Presiding Officer laid before the Senate, resolutions of the House of Representatives (H. Res. 323), which were read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
October 20, 1941.

Resolved, That the House has heard with profound sorrow of the death of Hon. LAWRENCE J. CONNERY, a Representative from the State of Massachusetts.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. WALSH. Mr. President, I send to the desk a resolution, which I ask to have read, and for which I ask immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 183) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. LAWRENCE J. CONNERY, late a Representative from the State of Massachusetts.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Under the second resolving clause, the Presiding Officer appointed Mr. WALSH and Mr. LODGE the committee on the part of the Senate to attend the funeral of the deceased Representative.

Mr. WALSH. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, October 21, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 20 (legislative day of October 16), 1941:

PROMOTIONS IN THE NAVY

MARINE CORPS

Brig. Gen. Seth Williams, the Quartermaster, to be the Quartermaster of the Marine Corps, with the rank of brigadier general, for a period of 4 years from the 1st day of December 1941.

The following-named first lieutenants to be captains in the Marine Corps from the 8th day of July 1940:

Donald J. Decker Leo R. Smith
Herbert H. Williamson

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of March 1941:

Benjamin L. McMakin Lewis H. Pickup
Elby D. Martin, Jr. Robert E. Galer
William D. Roberson Milo G. Haines
John W. Graham Robert W. Thomas
Bryghte D. Godbold Allen B. Geiger
Glenn C. Funk William E. Glise
Albert H. Bohne Richard A. Evans
John D. Harshberger

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of July 1941:

William H. Barba Edward H. Drake
Noel O. Castle Arthur P. McArthur
First Lt. Thomas G. Roe to be a captain in the Marine Corps from the 1st day of September 1941.

Alfred M. Mahoney, a citizen of Massachusetts, to be a second lieutenant in the Marine Corps from the 27th day of May 1941.

Finley T. Clarke, Jr., a citizen of North Carolina, to be a second lieutenant in the Marine Corps from the 28th day of May 1941.

Robert D. Kennedy, a citizen of Massachusetts, to be a second lieutenant in the Marine Corps from the 28th day of May 1941.

Myles C. Fox, a citizen of Connecticut, to be a second lieutenant in the Marine Corps from the 29th day of May 1941.

The following-named citizens to be second lieutenants in the Marine Corps from the 1st day of September 1941:

Grant S. Baze, a citizen of Texas.
William T. Bray, a citizen of Illinois.
Chester L. Christenson, a citizen of Oregon.
Howard M. Conner, a citizen of New Jersey.
Joe H. Daniel, a citizen of Mississippi.
Melvin J. Dilbeck, a citizen of California.
George H. Dole, a citizen of California.
John L. Frothingham, a citizen of Illinois.
Louis E. Haenel, a citizen of Texas.
Robert H. Haggerty, a citizen of New York.
John S. Hartz, a citizen of Pennsylvania.
Olin W. Jones, Jr., a citizen of Oklahoma.
James T. Kisgen, a citizen of Iowa.
Horace E. Knapp, Jr., a citizen of Colorado.
Stewart L. Leonard, a citizen of New York.
Charles P. McAuliffe, Jr., a citizen of Indiana.

Bernard W. McLean, a citizen of Tennessee.

Stephen C. Munson, Jr., a citizen of Louisiana.

Robert P. Neuffer, a citizen of New York.

Horace C. Parks, a citizen of New York.

Ralph L. Powell, a citizen of California.

Henry H. Reichner, Jr., a citizen of Pennsylvania.

Charles R. Rogers, Jr., a citizen of Alabama.

Eugene T. Schoenfelder, a citizen of New York.

Vincent J. Scully, Jr., a citizen of Connecticut.

Roy L. Sherrill, Jr., a citizen of Texas.

Thomas H. Shobbrook, a citizen of Illinois.

Karl N. Smith, a citizen of Louisiana.

Robert W. Sullivan, a citizen of Kansas.

John B. Sweeney, a citizen of Ohio.

John J. Wade, Jr., a citizen of California.

Joe B. Wallen, a citizen of Tennessee.

Fraser E. West, a citizen of Nevada.

Edwin B. Wheeler, a citizen of New York.

Robert D. Wilt, a citizen of Pennsylvania.

Earl K. Yost, Jr., a citizen of Oklahoma.

Charles T. Young III, a citizen of New York.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 20 (legislative day of October 16), 1941:

NAVY DEPARTMENT

Capt. Ezra G. Allen to be Director of the Budget and Reports with the rank of rear admiral for a term of 3 years.

COAST GUARD OF THE UNITED STATES

Capt. Lloyd T. Chalker to be Assistant Commandant with the rank of rear admiral, for a period of 4 years, to rank as such from January 1, 1942.

COAST AND GEODETIC SURVEY

TO BE HYDROGRAPHIC AND GEODETIC ENGINEER (WITH RELATIVE RANK OF LIEUTENANT IN THE NAVY)

Ector B. Latham

TO BE HYDROGRAPHIC AND GEODETIC ENGINEER (WITH RELATIVE RANK OF LIEUTENANT, JUNIOR GRADE, IN THE NAVY)

Emmett H. Sheridan

TO BE AIDES (WITH RELATIVE RANK OF ENSIGN IN THE NAVY)

William B. Page
Norman Porter

POSTMASTERS

ALABAMA

Cly T. Smith, Bay Minette.
Marcus Andrew Straughn, Repton.
Joseph A. Brittain, Roanoke.

ARKANSAS

Horace G. Boyd, McGehee.

CALIFORNIA

Ernest M. Carsten, Camino.
Max Lynn Green, Glendale.
Harry R. Wendelken, Idyllwild.
Edwin C. Halverson, Lynwood.
Chester P. Dunning, Porterville.
Morgan J. Kavanagh, Trona.

CONNECTICUT

William H. Ryan, Newington.
Audore O. Barnaby, Simsbury.

FLORIDA

Maurice G. Langford, Lake Butler.

GEORGIA

Claude M. Swain, Norwood.

ILLINOIS

Joseph L. Langan, Odell.

IOWA

Aaron R. Bohnenkamp, Breda.

KANSAS

Treva E. Peters, Valley Center.

MARYLAND

Gerard G. Brockmeyer, Severna Park.

MICHIGAN

Lee C. Sellers, Port Huron.

MINNESOTA

Alvin S. Steen, Clinton.

MISSISSIPPI

Atlas M. Avery, Purvis.
Hershel Loamma Lott, Seminary.

MISSOURI

Egbert F. Arnold, Lewistown.

NEBRASKA

Clyd Calder, Utica.

NEW MEXICO

Mary Y. Ray, Roy.

NEW YORK

David B. McLaughlin, East Syracuse.
Frances A. Howland, Leonardsville.
Arthur C. Moyer, Phoenix.
Cornelius J. Nugent, Syracuse.

NORTH CAROLINA

Helen B. McColman, Gibson.

OKLAHOMA

Alvin Scott Bradshaw, Skiatook.

VIRGINIA

Mr. Olive Matthew Sisson, Quantico.

WISCONSIN

Thomas N. Gretz, Cleveland.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 20, 1941

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, our Father, unveil to us the secret of the divine purpose for humanity with its yearnings upward and unfathomless needs. If our loyalty has swerved from the majestic mission of Him who is the inspiration and genius of human salvation, forgive us. Immerse our cramped spirits in the teaching of our Saviour, and in the power of a triumphant faith may we live and toil. From underbeating doubts that may brood over us and from partial glimpses of broken lights do Thou deliver us. We praise Thee for the tides of love and wisdom which flow from the heart of the living God; Oh, that men would praise Him for His goodness and for His wonderful works to the children of men. Oh, bid us to exult and rejoice in the strength of our Lord.

We linger with loving thoughts upon the gentle one who has been laid low. With a brotherly and quiet grace that murmured with his presence he nobly did his part to the end. He sought with no barren desire to mold his character into the likeness of our Saviour with the treasure of a faith that comforts and inspires unto the last; after suffering comes peace, and after earth comes heaven. Be Thou the comfort and support of the broken circle. In the name of our Redeemer. Amen.

The Journal of the proceedings of Friday, October 17, 1941, was read and approved.

BUSINESS IN ORDER TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in

order today be transferred to tomorrow, which includes consideration of bills on the Consent Calendar and the District-day business and such suspensions as the Speaker desires to recognize. I understand there is one bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. L. MENDEL RIVERS, for 2 weeks on account of official business.

THE LATE LAWRENCE J. CONNERY

Mr. McCORMACK. Mr. Speaker, it is my sad duty to announce to the House the death on Sunday morning, October 19, of one of our most beloved Members, our late friend and colleague, LAWRENCE J. CONNERY, of Massachusetts. His passing is a great shock to all of us. It is a personal shock and loss to me, as we were very close friends.

It is impossible for me to express in words the deep feeling of regret that I entertain in the passing on of our late colleague and beloved friend. It is also impossible for me to express the profound feelings of sympathy I entertain for Mrs. Connery and his child, who survive him.

Those of us who served in this body a little over 4 years ago remember well, in fact we will never forget, the fine, lovable, genial, and able Billy Connery, late brother of LARRY CONNERY, and Billy's sad, unexpected death. Billy Connery was loved by all of his colleagues. His brother, our late colleague, who was his secretary, succeeded him and has served in this body since.

LARRY CONNERY endeared himself to all of his colleagues just the same as his late brother did. His fine outlook on life, his love for his fellow men, his tolerance, and his devotion to duty aroused and commanded the respect of all of his colleagues. He leaves with us as a result of our association with him a memory of fine character, of high purpose, and of friendship that you and I who served with him will never forget. The fine life he led and his nobility of character and purpose will constitute a great source of consolation to his widow and in later years to his child.

Well might it be said of our late friend, "His life is an example for all to follow." Our late colleague was an outstanding Member of the Congress, a great American, a courageous soldier. He devoted his energies in times of peace or in the dangers of war always in the best interests of our country. He lived up to the spiritual truths he believed in, leading a beautiful spiritual life, tolerant always of the religious views of all others.

Our late friend not only respected but he had a strong feeling of affection for every Member of this body. Every Member felt the same way toward him. I know of no Member with whom I served who had a stronger feeling of humble pride of his membership in this body or of love for the Congress of the United States than did our late friend and colleague. In life LARRY CONNERY made a strong, favorable imprint upon the minds

of all who had the honor to know him. In death that imprint becomes a memory that will always remain with us. His death is a great loss to this body, to the Nation, the State, and the constituency he so devotedly served. It is an irreparable loss to Mrs. Connery and his child, and our deepest sympathy is extended to them.

Mr. Speaker, I yield to the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, in the death of LARRY CONNERY the country has lost a fine public servant and we in the House a colleague whom we greatly admired and respected. I have lost a personal friend whom I have known for a good many years. To know LARRY CONNERY was to love and respect him. He was a high type of an American citizen; a man of sterling convictions and one who could be steadfast in support of those convictions.

His warm heart beat for his fellow countrymen and his great talent was devoted in behalf of the workers and the unfortunates of our country. He hoped through his efforts to bring a little more sunshine into their life.

The career of our beloved colleague was devoted like that of his brilliant brother predecessor was devoted to the public service. He served his country in military arms and was an active participant of many of the major battles of the first World War. He sacrificed and suffered that Americanism should be perpetuated. In later life he served his country in legislative work. In both careers he served with great distinction and credit to his district, his State, his country, as well as to himself and his family.

The death of LARRY CONNERY causes us to pause for a moment to pay tribute to a useful life. As he responds to the heavenly call we are sure he will receive the reward which comes from a well-spent life. Today we who were his friends and who loved him say, "Well done, thou good and faithful servant."

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Speaker, The House today is meeting on an occasion of great sadness. All of us have been greatly affected and shocked and saddened by the sudden and untimely passing of our friend and colleague, Hon. LAWRENCE J. CONNERY. He succeeded his illustrious brother, the late William P. Connery, as the Representative of the Seventh Massachusetts District.

Accustomed as this House is to rapid and unexpected happenings in these tumultuous days, the sudden death of this young man is a blow which has fallen very heavily upon us all. Most of us remember with great affection the late Billy Connery. We remember his animated and lovable personality and the vigorous and energetic manner in which he pursued his duties here, yet full of good cheer and infectious humor.

When the Democratic Party took over the organization of this House in 1932, Billy Connery succeeded to the chairmanship of the Committee on Labor and

thereupon assumed the most onerous duties in a field fraught with controversy. He gave to his task unsparingly of his energy and ability. I believe it can be said without exaggeration that Billy Connery literally gave his life to the service of his fellow human beings, and particularly to the toilers of this Nation, whose lot he strove to better by the type of legislation he proposed and worked for in the Congress of the United States.

There was a striking parallel in the lives of these brothers. Both of them served with distinction and valor in the World War, being members of the Twenty-sixth Division, which saw action in every major engagement in which the forces of this country took part during the World War. Billy was elected to the Congress, and Larry became his secretary. Larry's personality was somewhat different from Billy's. Larry was very unassuming and self-effacing, modest, and diffident, but both had many of the same characteristics and sterling qualities. Both radiated warm friendship for their colleagues and other persons with whom life brought them in contact. Both of them had that same burning zeal to be of service to mankind. They were ruggedly honest and sincere and possessed a high moral integrity.

Larry followed in the footsteps of his famous brother as a member of the Committee on Labor. He brought to that committee the same liberal philosophy and sympathetic understanding of human problems possessed by his brother, and a fealty and devotion to the duties of the committee.

Today it is the fervent prayer of all of his colleagues that these two brothers, who had such a beautiful comradeship in life, have been united, and that that friendship and that comradeship may be perpetuated in eternity.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I very seldom have had a more sudden shock than I sustained yesterday morning. I was walking toward the Capitol and noticed our flags at half mast. In entering the Office Building I inquired of the guard in whose honor and memory the flags were displayed at half mast, and was informed that it was our colleague from Massachusetts, LAWRENCE CONNERY. You can imagine my astonishment and surprise at hearing of his sudden departure, having seen Larry here within a very few days.

My associates from Massachusetts have amply referred to his skill and his ability as a soldier, a legislator, and as a man. It seems only yesterday that we were mourning the death of Billy Connery, and now to think that Larry has joined him, as my colleague just mentioned, in eternal life, is certainly a tremendous shock to all of us.

We do not need at this time to eulogize Billy Connery. Those of us who served with him have him fresh in our memories. Neither do we need to eulogize LARRY CONNERY, except to place a wreath at his grave and utter a prayer for his eternal salvation. Two brothers serving together as soldiers and as patriotic citizens and

public servants have made their record in the great book of life, and we may feel confident will be eternal companions.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY of Massachusetts. Mr. Speaker, once more the hand of death has reached our body and taken from us a man in his forties, in the prime of life. It seems that this has been happening with such frequency of late that it has been almost like the falling of leaves in autumn. Of course, the pace is rapid and the pace is swift. We in public life know that we are living in a time of stress and strain and emotionalism. It is an exacting task.

LARRY CONNERY never was a showman but was always a hard worker, working for the welfare of an active constituency; and working on all these great public issues that confront us he has given his life as a sacrifice in the service of his country, just as if it were on the field of battle.

LARRY CONNERY and Billy Connery were brothers. I do not know of any more beautiful friendship or any more beautiful example of brotherly love than that between Larry and Billy Connery.

Billy was the older by a few years. They were inseparable in childhood and as young men. When the war broke out Billy joined, and admonished Larry that he ought to stay home to look after things, but Larry, against his admonition, wishing to be by the side of his brother, also joined, and together they went through 19 months of service on the battlefields of France.

When Billy was elected to Congress Larry came down here as his secretary. He worked side by side with him on the problems of labor, which were near to their hearts. When Billy died, Larry succeeded him and took over on the Committee on Labor.

It is a beautiful thing to contemplate the great love and the great friendship that existed between these two brothers.

We are born; we die. In between there is a brief span we call life. During that life we are generous, we are good, we are sublime, when we are so; but we are mean, petty, and small when we are so. We only hope that the good we do will far outbalance the bad.

LARRY CONNERY was an exception to the general rule. He was always good. He was in truth a lovable character, always kindly and considerate. He was an honest and clean man. Both he and Billy were a great credit to the mother and father who bore them. LARRY CONNERY's wholesome influence for good will be missed by his constituents, and will be sorely missed by those of us who knew him and loved him.

Human capacity to assuage grief or soothe a sorrow stands pitifully ineffective in the face of such a great loss. This beautiful tribute to the memory of LARRY CONNERY given in the House of Representatives of the United States by his fellow public servants who hail from North, South, East, and West of this vast country will, when time has tempered grief, be a source of comfort and great

pride to his mother, his sisters, his widow, and his son.

It will be, particularly with reference to his young son, Billy Connery, a legacy more valuable than gold. The proof, if there needs be any, that he bears the name of an uncle beloved and respected by all who knew him and that from his father descends to him a reputation fine and unblemished.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, our hearts are saddened by the sudden passing of LAWRENCE J. CONNERY. His loss is very great. It is a great personal loss to me; our congressional districts adjoined, and the family are old and beloved friends. He was a gentle, kindly man, a true friend, and an able and conscientious worker. Highly religious, he led a beautiful and spiritual life. He was a noble character and set a splendid example.

LARRY CONNERY "picked up the guidon" when his brother, William P. Connery, died. He carried on the fine record of service for the underprivileged his brother had established. It was natural that he did so, for the brothers had been together all of their lives, in business, in war, and in politics. During the World War these brothers served in the same regiment, Billy a color sergeant, Larry a commissioned officer. Their military record was gallant and outstanding. They saw service on 5 active fronts in France and participated in more than 25 battles. After the armistice, when the elder brother came to Congress, Larry accompanied him as his secretary and succeeded him when he passed away on June 15, 1937. In carrying on his brother's work Larry always tried to do what he thought Billy would like. He held it to be a sacred trust. The affection of these two was not broken by the death of one; rather, it was strengthened. His loyalty and devotion to his mother during her lifetime was outstanding and one of the most beautiful things those who knew him had ever seen.

Massachusetts and the Nation will deeply mourn his passing. He had a host of friends who held him in the highest regard. We who knew him so well and who appreciated his fine qualities join together in a bond of sympathy to comfort his lovely widow and young son in their hour of sorrow. They were a devoted and happy family.

We shall miss LARRY CONNERY more than we can say, but his sterling character and noble traits will always be remembered and treasured by those who knew him. He gave his life in the service of his country. A great soldier and patriot has gone to his reward.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. ELIOT].

Mr. ELIOT of Massachusetts. Mr. Speaker, among the many happy memories we will have of LAWRENCE CONNERY, I want to mention only two. First, as a part of that great gift of friendship which has been mentioned here today, there was his unusual simple, sympathetic, and understanding respect for the opinions, the

sincere opinions of others, whether or not he agreed with them. Second, I have known no man whose life was more brightened or who was more sustained through sorrow than was LARRY CONNERY through his very deep and abiding faith in God.

I find it impossible to express my own personal feelings except, perhaps, to sum them up and sum up the feelings of many of us here by saying that we feel we have lost a real friend.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, it is truly with sadness that I voice this expression of sorrow in the passing of the late LARRY CONNERY. I enjoyed a personal friendship with both him and his brother. Words cannot express the deep feeling of sorrow that is within me this morning. The State of Massachusetts has lost a wonderful Representative. His constituency will miss him. He was one of the outstanding friends in this Congress of the underprivileged in this country. He was a gentleman who possessed outstanding character and ability. His genial disposition commanded respect from all who knew him. I shall surely always recall LARRY CONNERY's attitude here in this House and I am sure the people of Massachusetts will have many fond memories of his activity here in this body and his family will have these same memories throughout the rest of their lives. I feel very, very sorry over his passing.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, words cannot express my sorrow this morning. Again we are reminded of the terrible strain under which we labor as death continues its heavy toll among Members of Congress. Strong, pure, and noble, our deceased colleague, LAWRENCE J. CONNERY, who died so suddenly, was my close personal friend since the day he came to Washington as the secretary to his brother Billy. He possessed that same desire to serve as his brother, whom he succeeded in this body. Our offices adjoined for many years and naturally we crossed each other's path daily. Well do I recall when both Larry and Billy decided to study law. After discharging their obligations to their constituents they read law in their office late into the night, and how happy they were when they were admitted to the bar.

Fair to all, still LARRY CONNERY was always the champion of the underprivileged—those less fortunate in life. As I knelt in the little chapel across the river this morning it was hard for me to realize my friend had gone to a better world. He has, for he was one who loved and practiced his religion.

Mr. Speaker, a devoted husband and father has passed away; his district and State have lost an outstanding Representative, the Nation a loyal and patriotic servant, and I a companion whose friendship I will always cherish.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker, I gave a tramp from my scanty store a wealth of gold. He spent the shining ore and then returned again and still again, Still cold and hungry as before. I gave a thought, and from that thought of mine He found himself the man he was, supreme, divine. And now, fed, clothed, and crowned with blessings manifold, he begs no more.

These lines of the poet, which I quote only from memory, are particularly fitting as today we meet to mourn the passing of LARRY CONNERY. We reflect rightly upon the fine qualities of his character and upon the genuine acts of his duties as a Member of this body.

It was my privilege to be associated with him. I visited the congressional district which he had the honor to represent. I knew him when he was secretary to his brother. In their home town by my contacts with their fellows I came to understand that here were two gentlemen, joined in brotherhood, who gave not money to those with whom they came in contact, because they had not that to give. They, however, gave in full measure those splendid traits within them both, which were recognized over such a period of years as to cause both Billy and then Larry, to serve with distinction in the House of Representatives.

As a member of the Committee on Labor I sat during the sessions close beside LARRY CONNERY. I understood the depth of his feelings for those less fortunate than himself, and this, oftentimes, was translated into legislative proposals which have received approval by our colleagues. A fine Member of this body is gone. We shall deeply miss him.

Mr. McCORMACK. Mr. Speaker, I yield now to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Speaker, as the relentless days sweep into the silent past, so must all men join the quiet company who rest peacefully in the everlasting shadows. Notwithstanding this realization, the death of a close friend is a great shock, and the passing of my colleague, the Honorable LAWRENCE J. CONNERY, brings sincere sorrow and a great personal loss.

It was my rare privilege to be associated with his family for many years. He followed in the footsteps of his famous brother, William J., and both Larry and Bill were descended from a father who gave generously of his life to the public service.

The sons had courage and ambition which carried them far in the field of service to their country both in time of war and peace. Larry was not only my friend but a neighbor as well, and as a Member of Congress he represented ward 4 of my home city of Salem, Mass., and where he endeared himself to a host of friends by the charm of his genial nature. In the House of Representatives his colleagues knew him for his high devotion to duty. He was courteous, affable, and gentlemanly at all times, and all of us admired him for his sincerity, fine sense of humor, and rugged honesty. He was an experienced legislator, who could think questions through, and

who voted his convictions for the benefit of the Nation as well as for the interest of his State.

Larry's fine record on the Mexican border in 1916 with the Massachusetts National Guard and during the World War in France for 19 months with the One Hundred and First Infantry Regiment of the Yankee Division bespeaks of his patriotism and love for his country. In war or in peace, he was faithful to every trust, conscientious in the performance of every duty, and at all times did what his best judgment told him was right for those whom he sought to serve.

The greatest measure of devotion that any man can show for his country is to die for it in its service. So history will record in the life of our beloved colleague. It is to be deeply regretted that his work in this House of Representatives was of such short duration.

His friendship will remain a precious legacy to those of us who had the privilege of knowing him. He leaves with all a memory that will glow brightly against the background of fading years.

Mr. McCORMACK. Mr. Speaker, I yield now to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Speaker, in thought and deed and in heart and soul our departed friend was just the kind of man that a fond and devoted father might well wish his son to be.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from New Hampshire [Mr. STEARNS].

Mr. STEARNS of New Hampshire. Mr. Speaker, like all his friends, I have been profoundly shocked by the news of the passing of LAWRENCE CONNERY. Beginning his Washington life as secretary to his brother, the late Representative William P. Connery, Jr., the experience thus gained fitted him to continue his services to his district as that brother's successor. Throughout the life now untimely cut short he was a devoted and self-sacrificing public servant and a true Christian gentleman.

His neighbors in New Hampshire join with his colleagues from Massachusetts, and, indeed, with all who knew him, in mourning his loss, and in extending to his family the expression of their deepest sympathy.

Mr. McCORMACK. Mr. Speaker, I now yield to the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. Mr. Speaker, I have never during my service in this body risen to my feet with a more profound feeling of sadness and sorrow and bereavement than I do today, because I so wholeheartedly share the tremendous feeling of shock and grief which is entertained by all whose privilege it was to know and serve here with the distinguished gentleman from Massachusetts, Hon. LAWRENCE J. CONNERY, whose life has been cut short in the flower of its fulfillment. This House, the State of Massachusetts, the Seventh District of Massachusetts have suffered an irreparable loss. The time is not near when his place will be filled adequately, if ever. I think we learn in this body to know our colleagues best through our service with them upon committees. The more active the committee, generally

speaking, the better do we learn to know them. Furthermore, the smaller the committee, provided it is active, the more thoroughly acquainted with them do we become. It was my lot and privilege to serve for nearly 2 years on one of the smallest committees of the House, although a rather active one, with LARRY CONNERY. That service brought me a close knowledge of the fine character of the man which I do not believe I could ever have gained otherwise. That intimate association caused me to know his innermost thoughts, his fine characteristics, his sterling character, and his great courage. It caused me to appreciate him as I otherwise probably never could have done, as a brave soldier, an industrious public servant, an able statesman, a charming gentleman, and a lovable and devoted friend. Such, my colleagues, is our loss today. While he is gone, not only is he not forgotten but he never will be. On the other hand, I feel very confident that his fine influence will be felt in this body so long as any of us who were privileged to serve with him remain here. May God bless and keep his greatly bereaved ones, to whom, as you know, he was so thoroughly devoted.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from California [Mr. KRAMER].

Mr. KRAMER. Mr. Speaker, my heart was saddened yesterday morning when I heard of the passing of our dear, devoted friend and colleague, LARRY CONNERY.

Like his brother, Billy Connery, his death was sudden. When he came to the House, succeeding his brother Bill, he immediately came to the Committee on Patents. I have served with him during the years of his term in the House. He was very devoted to the work. He was conscientious. He was loyal in his every undertaking. During the time he served with me on the committee there was never a time when I asked Larry to accept a responsibility but what he was always willing and always served every purpose well.

The people of his district at Lynn, Mass., have again lost a very faithful public servant. The House of Representatives will miss that great friendship which he has made during his stay here.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, the sudden death of our esteemed colleague, LAWRENCE J. CONNERY, removes from our midst one of the best-loved Members of Congress.

Last evening when I learned by radio that the great soul of LARRY CONNERY had taken its homeward flight I was overcome with emotion, and I realized his passing was a personal loss to me and marked the end of a useful and active life. Larry, as he was affectionately known to all of us, succeeded his distinguished brother, the Honorable William Connery, long a Member of this House, and whose sudden passing was universally mourned. LARRY CONNERY proved an able successor to his illustrious brother, and his sincere devotion to his congressional duties won him the respect

and confidence of not only his own constituents but of the entire membership of this House.

Billy and LARRY CONNERY both served their country during the World War and spent many months overseas as members of the famous Twenty-sixth Yankee Division. The veterans of the United States had no greater friends in Congress than the Connery brothers, and when Billy was summoned home Larry continued his brilliant efforts to guarantee that the disabled veteran, his widow, and orphan might receive their just due from a grateful government.

In paying tribute to the memory of LARRY CONNERY I speak not alone as a Member of Congress but from first-hand observation as one actively identified with organized veteranism. The veterans of the United States have sustained a distinct loss in the death of LARRY CONNERY, and his sudden death will be universally mourned by his comrades of 1917-18.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Speaker, in a few words I join with those who have spoken words of appreciative tribute to our late colleague, LAWRENCE CONNERY. As an individual he was fine, lovable, and manly. No man in this House or in all of his broad circle of friends could call him friend without happiness and pride in the thought. As a Member of this body he was earnest, faithful, considerate, and zealous. Those who knew him well, as many in this House did, will long cherish his memory with affection and with a degree of happiness that it was their privilege to be his friend and colleague.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, it is with a great sense of emotion this morning that I rise to pay tribute to the late LARRY CONNERY. I met this fine man in the Seventy-fifth Congress and served with him on the Committee on Labor and Education. It was a great shock to me yesterday to learn of his death. I have always admired and loved him for the great virtues that he possessed, for his fine character, his love, devotion, and loyalty to those he served.

My prayer this morning is that God will be merciful to him and that His Blessed Mother will comfort his loved ones now in their hour of deepest sorrow.

Mr. McKEOUGH. Mr. Speaker, I rise with considerable sadness because of the sudden passing of our friend from Massachusetts, LARRY CONNERY.

The words of an old philosopher I think best describe the life of LARRY CONNERY. Those words I think inspired and encompassed his every thought, word, and action during his earthly life. Those words are:

To smile at trials which fret and fag,
And not to murmur, nor to lag.
The test of greatness is the way
One meets the eternal everyday.

The gentlewoman from Massachusetts truthfully spoke of his fervor in his re-

ligious belief and practice. LARRY CONNERY was a crusader in the interest of justice, truth, and charity. He came to this body, as did his brother before him, well-grounded in the philosophy of Christian liberal idealism. He never swerved from its principles. Political expediency never influenced his utterances or actions.

The people of Massachusetts and particularly his home district will, I know, as they did in the passing of his illustrious brother, Billy, fully realize that they have lost not only a great legislator but a great American, and a true friend. And to his wife and his infant son I express on behalf of the delegation from the city of Chicago our profound sympathy; and I prayerfully ask a kindly Judge to grant eternal rest to his immortal soul.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Speaker, LARRY CONNERY came to this body with a song in his heart. He came here with a hymn in his soul, he came here with a certain look on his face that told the innermost thoughts of the man. LARRY CONNERY so conducted himself in this body, in his social affairs, and in his contacts with his friends that he ever emanated to those with whom he associated the fact that he seemed to understand the old admonitory question of St. Matthew:

For what doth it profit a man, if he gain the whole world and suffer the loss of his own soul?

LARRY CONNERY will be missed in this body, and I pray today that God may assuage the grief which his passing has brought to his loved ones.

Mr. McCORMACK. Mr. Speaker, I offer the following resolution, and ask its immediate consideration.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. LAWRENCE J. CONNERY, a Representative from the State of Massachusetts.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints the following Members of the House to attend the funeral: Messrs. HEALEY, CASEY of Massachusetts, ELIOT of Massachusetts, and BATES of Massachusetts.

ADJOURNMENT

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to; accordingly (at 12 o'clock and 54 minutes p. m.) the House adjourned until tomorrow, Tuesday, October 21, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, October 21, 1941, to hold hearings on H. R. 3984—amending Railroad Retirement Act.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, October 28, 1941, to begin hearings on proposed amendments to Securities Act, 1933, and Stock Exchange Act, 1934.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will continue public hearings on Thursday, October 23, 1941, at 10 a. m., on H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1001. A letter from the Secretary of War, transmitting a report of contracts awarded under the act of March 5, 1940; to the Committee on Military Affairs.

1002. A letter from the Administrator, Federal Security Agency, transmitting a draft of a joint resolution establishing the Robert Fechner memorial fund; to the Committee on Labor.

1003. A letter from the Secretary of War, transmitting a draft of a proposed bill to amend the Canal Zone Code so as to provide for control of photographing, possession of cameras, etc., in areas of the Canal Zone; to the Committee on the Merchant Marine and Fisheries.

1004. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill for the relief of Willard R. Centerwall, formerly superintendent and special disbursing agent at the Tongue River Indian Agency; to the Committee on Claims.

1005. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 17, 1941, submitting a report, together with accompanying papers on reexamination of Niagara River, N. Y., with a view to improvement from its mouth to Youngstown, N. Y., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 17, 1940; to the Committee on Rivers and Harbors.

1006. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 25,

1941, submitting a report, together with accompanying papers, on reexamination of Farm Creek, Md., requested by resolution of the Committee on Rivers and Harbors, adopted August 28, 1940; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RAMSPECK: Committee on the Civil Service. H. R. 3487. A bill to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended; with amendment (Rept. No. 1285). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DICKSTEIN:

H. R. 5870. A bill to amend section 24 of the Immigration Act of February 5, 1917; to the Committee on Immigration and Naturalization.

By Mr. MOTT:

H. R. 5871. A bill providing for a preliminary examination and survey of Alsea Bay, Oreg., with a view to constructing a harbor of refuge; to the Committee on Rivers and Harbors.

By Mr. SCHULTE:

H. R. 5872. A bill to grant permission for the erection in the District of Columbia of a suitable statue of Alexander Fell Whitney; to the Committee on the Library.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, requesting the Congress of the United States to appropriate and make available the sum of \$2,000,000 for the acquisition of essential material and supplies for use during the defense period when called; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LANHAM:

H. R. 5873. A bill relative to the military record of Charles C. Rascoe, deceased; to the Committee on Military Affairs.

By Mr. MOTT:

H. R. 5874. A bill for the relief of Julia A. S. O'Brien; to the Committee on World War Veterans' Legislation.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1916. By Mr. MCGREGOR: Petition of Mrs. Clayton Mayer, president, Woman's Society of Christian Service of the Methodist Church, Shelby, Ohio, and other officers and members of the organization, urging the enactment of Senate bill 860, to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1917. By Miss RANKIN of Montana: Petition of Carl Johnson and 73 other residents of Ravalli County, Mont., protesting against the ruling of Mr. McNutt, Federal Security Administrator, permitting oleomargarine to be colored, etc., to resemble butter, and to be sold on the market in imitation of butter, and requesting an investigation thereof; to the Committee on Agriculture.

1918. By Mr. SHAFER of Michigan: Resolution of the Kalamazoo Post, No. 332, American Legion, protesting against the ruling of the War Department returning to inactive status all National Guard officers who have reached the maximum age limit prescribed for officers of the next higher grade; to the Committee on Military Affairs.

1919. By the SPEAKER: Resolution of the committee of the Democratic county convention, Montrose, Colo., requesting consideration of their resolution in reference to the death of Hon. Edward T. Taylor; to the Committee on Memorials.

1920. Also, petition of the United Office and Professional Workers of America, Local 16, New York, requesting consideration of their resolution with reference to national unity; to the Committee on the Judiciary.

1921. Also, petition of the United Brotherhood of Carpenters and Joiners of America, Union No. 2018, Lakewood, N. J., requesting consideration of their petition in regard to House bill 1410; to the Committee on Ways and Means.

1922. Also, petition of the Men's Bible Class of the First Baptist Church of Live Oak, Fla., requesting consideration of their resolution with reference to the foreign affairs of the United States; to the Committee on Foreign Affairs.

1923. Also, petition of sundry members of the staff of the University of California at Los Angeles, Calif., requesting consideration of their petition with reference to the defeat of Hitlerism; to the Committee on Foreign Affairs.

1924. Also, petition of the Anacortes General Welfare Club, Anacortes, Wash., petitioning consideration of their resolution with reference to House bill 1410; to the Committee on Ways and Means.

1925. Also, petition of the Carpenters Local Union 67, Roxbury, Mass., petitioning consideration of their resolution with reference to House bill 1410; to the Committee on Ways and Means.